UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/397
17 May 1995

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF CROATIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with instructions from my Government, I have the honour to inform you that, as of 0530 hours today, the Croatian Army (HV) has withdrawn 650 out of 800 personnel from the zone of separation in the Eastern Slavonia sector (formerly sector East); 870 out of 1,470 personnel from the Glina sector (formerly sector North); and 970 out of 1,000 personnel from the Knin sector (formerly sector South). The HV withdrawal is therefore 76 per cent complete. The withdrawal that was delayed as a result of the circumstances noted below will continue until full completion. A joint HV/European Union Monitoring Mission commission that is presently observing developments in the zone of separation will be able to report later today on further progress in this regard.

The Croatian Serb paramilitary units have meanwhile taken 207 positions in the zone of separation: 23 in the Eastern Slavonia sector; 133 in the Glina sector; and 51 in the Knin sector. About 2,000 Croatian Serb paramilitary troops remain in the zone of separation; none have withdrawn. On 15 May, the Croatian Serb authorities in Knin also closed the Adriatic pipeline, in violation of the Economic Agreement of 2 December 1994. Additionally, the Croatian Serb paramilitary units in the Eastern Slavonia sector, strengthened by personnel from the Yugoslav Army (JA), are carrying out manoeuvres and taking offensive positions that threaten a part of the territory of the Republic of Croatia adjacent to the Federal Republic of Yugoslavia (Serbia and Montenegro), and of the Republic of Bosnia and Herzegovina that is under control of the Croatian Government. The military value of this territory, if occupied, is to connect the Serb-occupied Eastern Slavonia sector in Croatia to the Serb-occupied parts of the Republic of Bosnia and Herzegovina and secure a supply corridor from the Federal Republic of Yugoslavia (Serbia and Montenegro), through Croatia, to the Bosnian Serb-controlled territories.

The Croatian Government has undertaken substantial steps to calm the situation within its sovereign territory, by follow-up activities in respect of civilians in Western Slavonia, by fruitful discussions with the Special Representative of the Secretary-General, Mr. Yasushi Akashi, regarding the role of the United Nations Confidence Restoration Operation in Croatia (UNCRO) in

Western Slavonia, by signing the Status-of-Forces Agreement and by completing a substantial withdrawal of HV personnel from the zone of separation. The Croatian Government has therefore demonstrated its full commitment to the continuation of the peace process in Croatia and to the implementation of the UNCRO mandate on its territory. Furthermore, my Government is of the view that any new action in respect of Croatia, other than UNCRO action with regard to Croatian Serb violations in the zone of separation and the closing of the Adriatic pipeline, is unnecessary and may actually serve to destabilize Croatia and the region in general.

May I request your kind assistance in distributing the present letter as a document of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1995/398
17 May 1995

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS DISENGAGEMENT OBSERVER FORCE

(for the period from 22 November 1994 to 22 May 1995)

I. INTRODUCTION

1. The present report gives an account of the activities of the United Nations Disengagement Observer Force (UNDOF) in pursuance of the mandate entrusted to it by the Security Council in resolution 350 (1974) of 31 May 1974 and extended by subsequent resolutions, most recently by resolution 962 (1994) of 29 November 1994.

II. ORGANIZATION OF THE FORCE

2. As of May 1995, the composition of UNDOF was as follows:

Austria	466
Canada	216
Poland	355
	1 037
United Nations military observers (detailed from the United Nations Truce Supervision Organization)	4
	1 041

In addition to the above, UNDOF was assisted by 82 military observers of the Observer Group Golan of the United Nations Truce Supervision Organization (UNTSO) assigned to the Israel-Syria Mixed Armistice Commission.

3. Major-General Johannes C. Kosters of the Netherlands assumed command of UNDOF on 17 January 1995. He took over from Colonel Jan Kempara of Poland, who had been acting Force Commander since the departure of Major-General Roman Misztal, also of Poland, on 23 November 1994.

4. UNDOF is deployed within, and close to, the area of separation with base camps and a logistic unit. The headquarters of UNDOF is located at Camp Faouar. UNDOF also maintains an office at Damascus. A map showing UNDOF's area of operations and deployment is attached.

5. The Austrian battalion is deployed in the northern part of the area of separation. At present, it maintains 16 positions and 9 outposts. The Polish battalion is deployed in the southern part of the area. At present, it maintains 14 positions and 8 outposts. Its base camp is Camp Ziouani. Mine-clearing is conducted by both battalions under the operational control of UNDOF headquarters.

6. The Canadian logistic unit is based in Camp Ziouani, with a detachment in Camp Faouar. It performs the second-line general transport tasks, rotation transport, control and management of goods received by UNDOF and maintenance of heavy equipment.

7. First-line logistic support is internal to the contingents and includes transport of supplies to the positions. Second-line logistic support, as explained above, is provided by the Canadian logistic unit. Third-line support is provided through normal supply channels by the United Nations. Damascus international airport serves as UNDOF's airhead; Tel Aviv international airport is also used. The seaports of Latakia and Haifa are used for sea shipments. In-theatre air support is provided by UNTSO on request.

III. ACTIVITIES OF THE FORCE

8. The functions and guidelines of UNDOF, as well as its tasks, were outlined in the Secretary-General's report of 27 November 1974. 1/ UNDOF continued, with the cooperation of the parties, to fulfil the tasks entrusted to it. To this end, the Force Commander and his staff maintained close contact with the military liaison staffs of Israel and the Syrian Arab Republic. Both sides continued to impose some restrictions on UNDOF's freedom of movement.

9. UNDOF continued to supervise the observance of the cease-fire between Israel and the Syrian Arab Republic. The cease-fire was maintained and the operational situation in UNDOF's area of operation remained calm.

10. UNDOF supervised the area of separation to ensure that no military forces were deployed in it. 2/ This was effected by means of permanently manned positions and observation posts and by foot and mobile patrols operating at irregular intervals on predetermined routes by day and by night. In addition, temporary outposts were established and additional patrols were conducted from time to time as necessary.

11. UNDOF conducted fortnightly inspections of armament and force levels in the areas of limitation. Liaison officers from the party concerned accompanied the inspection teams. As in the past, both sides restricted the movement of inspection teams, denying access to some of their positions.

12. UNDOF assisted the International Committee of the Red Cross with facilities for mail and the passage of persons through the area of separation. Within the means available, medical treatment was provided to the local population on request.

IV. FINANCIAL ASPECTS

13. By its resolution 49/225 of 23 December 1994, the General Assembly, inter alia, authorized the Secretary-General to enter into commitments for UNDOF at a rate not to exceed $2,677,583 gross ($2,594,000 net) per month for the period of six months from 1 June 1995, should the Security Council decide to extend the mandate of the Force beyond 31 May 1995. This authorization is based on an average maximum force strength of 1,036 troops and continuation of the Force's existing responsibilities.

14. Unpaid assessments to the UNDOF special account as at 30 April 1995 amounted to $61.8 million. Total unpaid assessed contributions for all peace-keeping operations amounted to $1.9 billion.

V. IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 338 (1973)

15. In deciding in its resolution 962 (1994) to renew the mandate of UNDOF for a further period of six months, the Security Council also called upon the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973 and requested the Secretary-General to submit, at the end of the period, a report on the developments in the situation and the measures taken to implement that resolution.

16. The search for a peaceful settlement in the Middle East and, in particular, the efforts undertaken at various levels to implement Security Council resolution 338 (1973) were dealt with in my report on the situation in the Middle East, 3/ submitted in pursuance of General Assembly resolution 48/59 A and 48/59 B of 14 December 1993.

VI. OBSERVATIONS

17. UNDOF, which was established in May 1974 to supervise the cease-fire called for by the Security Council and the agreement on disengagement between Israeli and Syrian forces of 31 May 1974, 4/ has continued to perform its functions effectively, with the cooperation of the parties. During the period under review, the situation in the Israel-Syria sector has remained quiet and there has been no serious incident.

18. Despite the present quiet in the Israel-Syria sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached. I hope that determined efforts will be made by all concerned to tackle the problem in all its aspects, with a view to arriving at a

just and durable peace settlement, as called for by the Security Council in its resolution 338 (1973).

19. In the prevailing circumstances, I consider the continued presence of UNDOF in the area to be essential. I therefore recommend that the Security Council extend the mandate of the Force for a further period of six months, until 30 November 1995. The Government of the Syrian Arab Republic has given its assent to the proposed extension. The Government of Israel has also expressed its agreement.

20. In conclusion, I wish to pay tribute to Major-General Johannes C. Kosters and to the men and women under his command. They have performed with efficiency and devotion to duty the important tasks assigned to them by the Security Council. I take this opportunity to express my appreciation to the Governments contributing troops to UNDOF and to those that provide UNTSO military observers assigned to the Force.

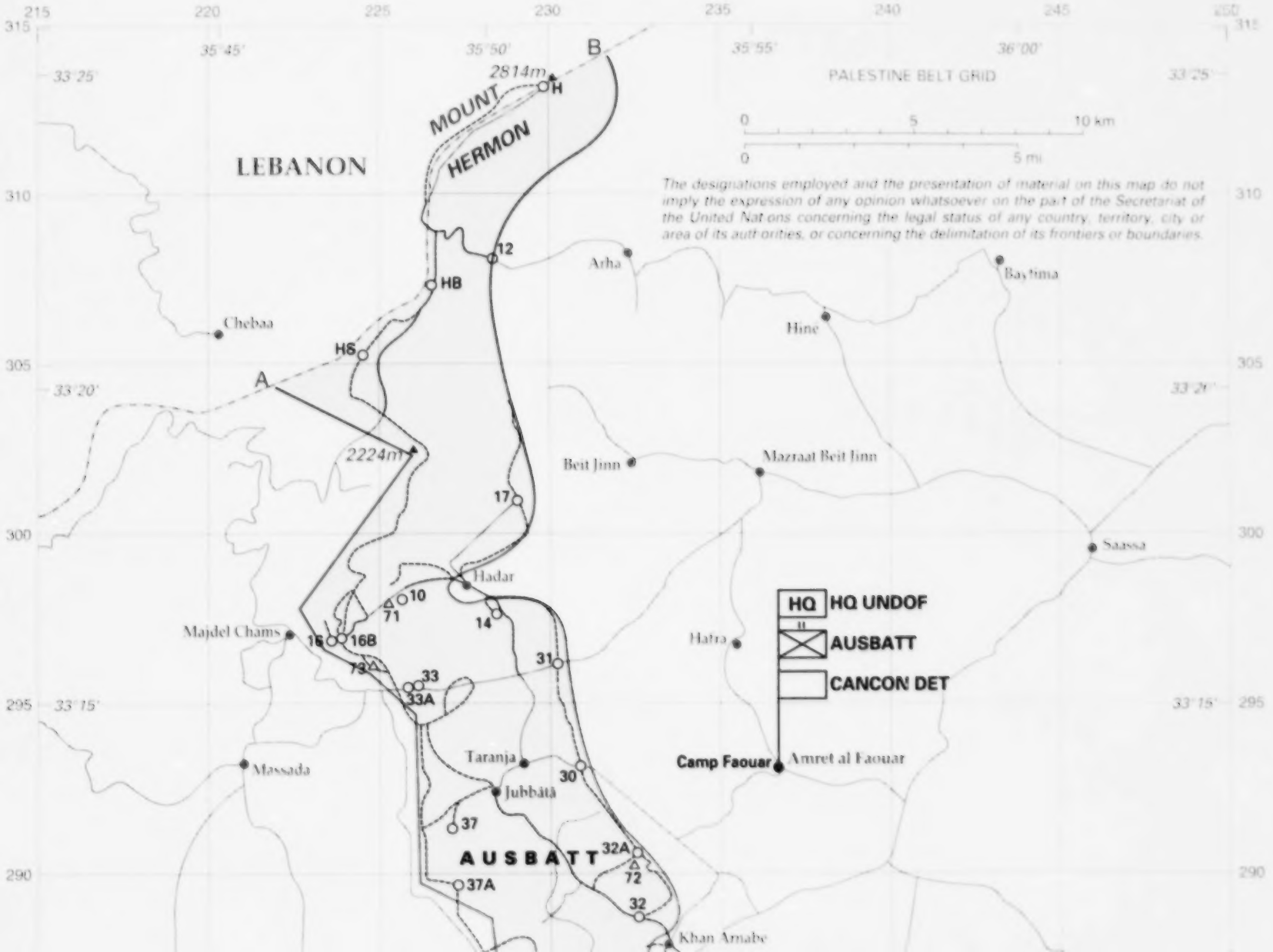
Notes

1/ Official Records of the Security Council, Twenty-ninth Year, Supplement for October, November and December 1974, document S/11563, paras. 8-10.

2/ Ibid., Supplement for April, May and June 1974, document S/11302 and Add.1 and 2.

3/ A/49/556.

4/ See Official Records of the Security Council, Twenty-ninth Year, Supplement for April, May and June 1974, document S/11302/Add.1, annex I.


215
220
225
230
235
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245
250
315
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305
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35°45'
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PALESTINE BELT GRID
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The designations employed and the presentation of material on this map do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area of its authorities, or concerning the delimitation of its frontiers or boundaries.
LEBANON
MOUNT HERMON
2814m
2224m
A
B
H
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HS
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17
10
71
14
16
16B
73
31
33
33A
30
37
37A
32A
72
32
Arha
Baytima
Hine
Chebaa
Beit Jinn
Mazraat Beit Jinn
Saassa
Hadar
Majdel Chams
Hatra
Taranja
Massada
Jubbata
Khan Amabe
AUSBATT
HQ
HQ UNDOF
AUSBATT
CANCON DET
Camp Faouar
Amret al Faouar

POLBATT
CANCON
UNDOF
MP CKPT "C"
Camp Ziouani
POLBATT
QUNEITRA
A-1
A
B
C
D
SYRIAN
ARAB
REPUBLIC
GOLAN
New Quneitra
Hamidiyah
New Hamidiyah
Jaba
Quassett
Mansoura
Mashara
Kafer Nassej
Umm Batina
Al Qahtaniyah
Ain Ziouani
Nab as Sakhr
Kouihine
Kafer Nettakh
Bir Ajam
El Harra
Buraqah
Tazara
Kudnah
Khochniye
Jasem
Al Asbah
Rafid
Boutmiye
Joukhadar
(Trans Arabian Pipeline)
33°10'
33°05'
33°00'
32°55'
285
280
275
270
265
260
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61A
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27A
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57
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85B

33°10'
285
280
275
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33°00'
SYRIAN
ARAB
REPUBLIC
GOLAN
Hamidiyah
New Hamidiyah
Ouassett
Mansoura
QUNEITRA
POLBATT
A-1
Camp Ziouani
Al Qalaniyah
Ain Ziouani
UNDOF
MP CKPT "C"
POLBATT
CANCON
Kafer Nassej
Mashara
Umm Batina
Nab as Sakhr
Rouihiné
Bir Ajam
El Harra
Burayqah
Kafer Neffakh
Fazara
Khochniyé
Kudnah
Al Asbah
Jasem
Rafid
Boutmiyé
(Trans Arabian Pipeline)
27A
22
A
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63A
66A
66
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63
60A
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67
68
52
69
81
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82
82A
82B
80
83
57

وزع قوة الأمم المتحدة لمراقبة فض الاشتباك في أيار/مايو ١٩٩٥

1995年5月观察员部队的部署

UNDOF DEPLOYMENT AS OF MAY 1995

DÉPLOIEMENT DE LA FNUOD AU MOIS DE MAI 1995

ДИСЛОКАЦИЯ СООННР ПО СОСТОЯНИЮ НА МАЙ 1995

DESPLIEGUE DE LA FNUOS EN MAYO 1995

55△ نقطة مراقبة للأمم المتحدة	33○ موقع للأمم المتحدة	خطوط سير الدوريات
联合国观察所	联合国部队的位置	巡逻线
United Nations observation post	United Nation position	Patrol routes
Poste d'observation de l'ONU	Position de l'ONU	Parcours des des patrouilles
Позиция ООН	Наблюдательный пункт ООН	Маршруты патрулей
Puesto de observación de las Naciones Unidas	Posición de las Naciones Unidas	Rutas de patrulla

Map No. 2916 Rev. 37 UNITED NATIONS
May 1995

Department of Public Information
Cartographic Section

UNITED NATIONS **S**

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17 May 1995
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 17 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In accordance with the instructions I have received, I request you to circulate the statement made by the Ministry of Defence of Azerbaijan on 17 May 1995 as a document of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

95-14830 (E) 180595 180595 190595

/...

Annex

STATEMENT OF 17 MAY 1995 BY THE MINISTRY OF DEFENCE OF AZERBAIJAN

In a report transmitted on 15 May 1995 by the "Svoboda" radio station from its own correspondent in the Azerbaijani town of Hankendi, which is occupied by the armed forces of Armenia, reference was made, citing Armenian military intelligence sources, to concentrations of forces and matériel allegedly being conducted by the Azerbaijani army in the Barda, Agjabedi and Beilagan areas of confrontation between the armed forces of Azerbaijan and Armenia.

This statement could be classified as just one more unverified report. However, the Azerbaijani side is only too well aware of the working methods of Armenia's propaganda machine. It is noteworthy that the leadership of Armenia and representatives of Armenian society in the Nagorny Karabakh region of Azerbaijan are again resorting to their favourite means of manipulating public opinion prior to putting their aggressive intentions into effect.

The aggressive designs of Armenia's military and political leadership are also revealed by the conduct in March 1995 of exercises by its armed forces in the course of which offensive action was rehearsed, as well as the openly militarist statement of 9 May 1995 by a deputy of the Supreme Council of Armenia, Zory Balayan, made in the town of Hankendi in the Nagorny Karabakh region of Azerbaijan, to the effect that the current objective of the Armenian armed forces is to capture towns in the Khanlar and Geranboy regions of Azerbaijan.

These propaganda measures are evidence of the fact that, as in the past, the Armenian side is again preparing public opinion on the eve of possible large-scale operations to capture more of Azerbaijan's territory.

The Ministry of Defence of Azerbaijan officially states that, in conformity with the terms of the cease-fire agreement, it will not take any steps to build up and concentrate its forces and matériel in the area of combat operations.

In this connection, the Ministry of Defence of Azerbaijan warns that if the newly begun next phase of the negotiating process on a peaceful settlement of the Armenia-Azerbaijan conflict breaks down, and the cease-fire agreement is violated, full responsibility for the further development of events will rest with Armenia.

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S/1995/400
17 May 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 16 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 15 May 1995 from Mr. Hamid Yusuf Hammadi, Acting Minister for Foreign Affairs of the Republic of Iraq, on the use by the Coalition forces in their aggression against Iraq of projectiles made from depleted uranium and on the serious consequences there have thus been for health and the environment.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-14836 (E) 190595 190595 230595

/...

Annex

Letter dated 15 May 1995 from the Acting Minister for Foreign Affairs of Iraq addressed to the Secretary-General

There is an important matter I should like to place before you, and it is that of the use by the Coalition forces in the theatre of operations against Iraq of radiation weapons, in particular of projectiles made from depleted uranium (DU). This has caused the most serious harm to people and to the environment in Iraq.

In his letter No. DS/S/SS 0692/94M of 6 December 1994 addressed to Sir David Steel, the British Minister of Defence, Malcolm Rifkind admits that DU was used by British forces in order to improve their ability to counter Iraqi armour. In the same letter, the Minister of Defence states that, in their tanks and A-10 aircraft, United States forces used far greater quantities of DU than did British forces. In this letter, the British Minister of Defence admits that, when they impact with a hard surface, DU projectiles can emit small amounts of radioactive and toxic substances that present a health hazard if inhaled or ingested into the digestive system but states that it is not possible for persons other than those targeted by such projectiles to become exposed to large enough quantities of such substances to place their health at risk. In this letter, the British Minister of Defence claims that these projectiles were used in desert areas that were sparsely inhabited. The direct and immediate danger from the dust produced by the projectiles dissipates quickly, although the hazards caused by contact with destroyed vehicles remain. The hazards that remain in both Iraq and Kuwait are to be regarded as limited, or such is the claim made by the British Minister of Defence in this letter.

I should further like to take this opportunity to call your attention to an article published in the newspaper Le Monde diplomatique in its issue for 10 April 1995. The newspaper reports that William M. Arkin, head of the Institute for Science and International Security in Washington, estimates that some 940,000 rounds of 30-millimetre ammunition, each containing 300 grams of DU, were fired by A-10 aircraft and that 4,000 120-millimetre shells, each containing 1 kilogram of DU, were fired by tanks. This makes it possible to estimate the total weight of the uranium left in Iraq and Kuwait at about 300 tons. The newspaper also draws on the confidential report submitted by the United Kingdom Atomic Energy Authority (UKAEA) to the Government in November 1991, which states that there are some places where enough rounds were fired so that the contamination of vehicles and of the ground exceeded permissible limits and presented a hazard to the local population. This report also states that the greatest danger derives from the uranium dust produced when the projectiles hit and set fire to vehicles and when the particles of dust are inhaled. A large part of the metal mass is transformed on impact into an aerosol whose fine particles, readily carried by the wind, are easily ingested, are toxic to the kidneys and radiologically dangerous to the lungs. This newspaper article further states that a programme broadcast by the NBC television network in February 1994 presented two cases of probable DU contamination. The first was that of Sergeant Daryl Clark, who recounted how

his platoon was close to a group of Iraqi tanks when they were destroyed by A-10 aircraft using 130-millimetre shells. His daughter, who was born after the war, was born with angiomas and without a thyroid gland. The second case was that of a nurse, Carol Picou, whose medical unit was engulfed in smoke issuing from Iraqi tanks. Her attending physician, Dr. Thomas Calendar, indicates that her condition greatly resembles that of a person who has ingested radioactive substances. The newspaper reports that the United States Army admits that DU can present a hazard, and that it has had difficulty in concealing the fact that vehicles hit by friendly fire had been brought back to United States territory for decontamination and that 35 soldiers had then been exposed to radiation.

To supplement the facts indicated above, I should like to refer to a study carried out in March 1993 by three American experts, Grace Bekdoksky, Dimacio A. Lopez and Fielding Mcgihy, on the use of DU by the United States Department of Defense in the 30-Power aggression against Iraq. The experts represent the following American organizations: Rural Alliance for Military Accountability; Progressive Alliance for Community Empowerment; and Citizen Alert. The study confirms that DU was used for the first time in the history of contemporary warfare in the Gulf War and that countless numbers of Iraqi soldiers were killed either directly by DU projectiles or as a result of exposure to radiation. It states that it is possible that 50,000 Iraqi children died in the first eight months of 1991 as a result of various diseases including cancer, kidney failure and previously unknown internal diseases caused by the use of DU. In this connection, the study reports, on the authority of the United States Department of Defense, that an undetermined number of American soldiers received direct wounds from DU-contaminated shrapnel and were burnt and that others may have died as a result of inhaling uranium after their tanks were set on fire. In this context, the study reports that the fragmentation of DU particles produces gamma rays that give rise to a period of exposure to radiation. The study indicates that the lack of interest by Governments, particularly that of the United States, in investigating and publicizing the effects and hazards of the use of DU, is due to an attempt on their part to avoid paying compensation to victims of exposure to radiation. The use of this type of uranium gives rise to a series of health hazards and incurable diseases that include cancer, kidney failure, pneumal malfunction, hereditary impairment, skin diseases, and obscure idiopathic diseases that cannot be treated and are fatal. Once uranium oxide enters the lungs it remains there for long periods of time, causing a one-half reduction in pneumal functioning and, within a year or so, leading to total paralysis of the lungs. The retention of particles of uranium oxide in the lung tissue means that they increase constantly as long as the victim remains alive. With the passage of time, lung cancer becomes certain or at least highly probable. The study indicates that the cargo of contaminating rounds in a single tank amounts to 50,000 pounds of uranium and that the quantities of munitions used by the tanks and aircraft of the United States and its Coalition partners were so great that the hazards they presented and the damage they caused were not restricted to the field of battle alone but also affected areas far away. The greatest amount of uranium waste is inside Iraqi territory. The study adds that the quantities of DU used by United States and British aircraft and tanks in combat against Iraq have not been announced and have remained "classified information". The study confirms that the UKAEA report indicates that the real danger stems from the uranium dust produced by the impact of DU projectiles and by their combustion inside Iraqi vehicles and

tanks. This generates an enormous number of very small particles of uranium oxide that are carried by the wind over long distances, enter the respiratory system and cause lung cancer. The study mentions a cable from the Munitions and Chemical Command addressed to a field commander in the war, a Colonel Lindsey, bringing it to his attention that any system containing DU that is fired is to be regarded as contaminated, that any system attacked with DU is to be regarded as contaminated, that personnel may only enter contaminated systems after it is ascertained that they are free of contamination, and that personnel must wear protective gloves when handling objects suspected of DU contamination.

Expert Iraqi teams formed for the purpose have carried out a technical study that includes measurements of radioactivity in the areas of military operations and in the armour and vehicles destroyed (including those damaged and towed to repair stations), and they have taken soil samples in order to measure the degree of contamination. The convincing material evidence obtained by these teams proves that the Coalition States used radiation weapons against our armed forces, and particularly against our armour and vehicles. Spectroscopic analysis of environmental samples taken inside tanks that were destroyed and other environmental samples taken in the Rumaylah North and Artawi areas, the border areas and the demilitarized zone prove that radioactive contamination results from the use of DU shells, and some of the samples taken inside armour destroyed at the locations in question have a high level of radioactivity. Laboratory measurements of environmental samples from the areas studied have also shown the presence of very high concentrations of uranium 234. The measurement schedules annexed hereto show the results of the expert study for selected areas in Basra Governorate.

The Iraqi authorities concerned also formed expert teams from medical and scientific research establishments in order to conduct field studies and clinical studies to determine the effects on human health of the use of radiation weapons by the Coalition forces in the war against Iraq.

Baffling pathological cases have appeared in Iraq, and they are exemplified by an abnormal increase in leukaemia, lung cancer, cancer of the digestive system and carcinoma. There has been an appreciable increase in congenital diseases and congenital deformities in foetuses, such as the presence of abnormal superfluous organs, and in live births with hydrocephaly or anencephaly, with eye defects and even anophthalmia or malformation of the eye. There have also been cases of conjoined twins, skeletal abnormalities, hereditary syndromes, chromosomal trisomies and unexplained cases of hair loss and puzzling skin diseases in persons affected by the bombardment or in areas close by. Increasing numbers of people are affected by attacks of epidemic vertigo accompanied by loss of consciousness and loss of balance, a growing number of patients complain of episodes of distorted vision and loss of sight in part of the eye accompanied by severe headache, and there are unexplained conditions of infertility in both sexes. There have been increases in miscarriages, stillbirths, premature births and difficult births.

The wide-scale use of the weapons in question has no military justification and conflicts with the claims of the Coalition countries that the weapons employed in the war were of a conventional type and that it was a clean war. I can only say in this connection that the use of these weapons resulted in the

mass murder of individuals, firstly because of the destructive nature of high-power munitions and secondly because of the contamination and affliction with baffling and unprecedented medical symptoms of persons outside the theatre of military operations by the toxic radioactive substance used. There has also been wide-scale environmental contamination that is not restricted to the areas that came under bombardment. It has affected water, soil and air, and has an adverse short- and long-term impact on human and animal health.

In our view, the States that made use of these weapons bear international legal and humanitarian responsibility for their serious consequences for human health and the environment in Iraq and for the human suffering that will be endured not only by the present generation but by future generations too. Iraq reserves the right to confront these States with the consequences of the internationally prohibited act of which they are guilty.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Hamid Yusuf HAMMADI
Acting Minister for Foreign Affairs
of the Republic of Iraq

Enclosure

Schedules showing radiation levels

1. Field measurements of exposure levels in the area of Rumaylah North

No.	Target	Level of exposure to radiation (microroentgen/hour)	
		Normal radiation exposure level	Radiation exposure level of target
1.	BMP-1 personnel carrier	8.1	24.6
2.	MTLB personnel carrier	8.2	9.7
3.	T-72 tank	8.7	15.1
4.	Recovery tank	7.3	13.2

2. Field measurements of exposure levels in the Shamiyah airfield and Kadirat al-Uzaymi areas

No.	Target	Level of exposure to radiation (microroentgen/hour)	
		Normal radiation exposure level	Radiation exposure level of target
1.	T-72 tank	7.0	60.8
2.	personnel carrier	7.2	60.3
3.	Location away from the T-72 (background radiation)	7.1	7.3
4.	Location away from the personnel carrier	7.3	7.2

3. Field measurements of exposure levels in the demilitarized zone and nearby

No.	Target	Level of exposure to radiation (microroentgen/hour)	
		Normal radiation exposure level	Radiation exposure level of target
1.	Border pumping station of the IPSA pipeline at Kharanij (head of DU round)	7.4	83
2.	T-55 tank between crossings 13 and 14	7.6	21
3.	T-72 tank No. 16107	7.2	23
4.	T-55 tank to the left of crossing 9 (closed)	7.4	67
5.	T-72 tank near the UNIKOM post between crossings 12 and 13	7.6	69
6.	T-72 tank to the south-east of Jabal Sanam near the warning and control unit	7	65

4. Laboratory measurements showing radioactivity of samples from destroyed targets in the Rumaythah North area

No.	Target	Radioactivity (becquerel/gram)	
		Concentration of the thorium 234 isotope	Concentration of the radium 226 isotope
1.	BMP-1 armoured personnel carrier Inside front Outside rear Inside rear Soil sample taken far from target	 130 ± 2543 12 ± 242 68 ± 6706 Below sensitivity threshold of device	 70 ± 1286 18 ± 153 26 ± 1780 19 ± 43
2.	MTLB personnel carrier (front)	8 ± 105	13 ± 76
3.	T-72 tank Outside front Soil from outside front Inside Inside	 116 ± 2837 25 ± 3011 195 ± 6031 29 ± 540	 9 ± 136 39 ± 542 32 ± 604 18 ± 189
4.	Background radiation	9 ± 178	12 ± 148
5.	Recovery tank Outside Inside	 11 ± 173 30 ± 657	 17 ± 104 14 ± 205

5. Laboratory measurements showing radioactivity of samples from the Shamiyah airfield and Kadirat al-Uzaymi areas

No.	Target	Radioactivity (becquerel/gram)		
		Concentration of the thorium 234 isotope	Concentration of the radium 226 isotope	Concentration of the uranium 235 isotope
1.	Destroyed T-72 tank; surface	21940 ± 538610	817 ± 17349	156 ± 9231
2.	WATRKAN armoured personnel carrier	42 ± 1970	25 ± 282	10 ± 44
3.	Soil sample taken far from tank (background radiation)	Less than 60	10 ± 67	Below sensitivity threshold of device
4.	Soil sample taken far from APC	14 ± 60	14 ± 58	Below sensitivity threshold of device

6. Laboratory measurements showing radioactivity of samples from destroyed targets in the demilitarized zone and nearby

No.	Target	Radioactivity (becquerel/gram)		
		Concentration of the thorium 234 isotope	Concentration of the radium 226 isotope	Concentration of the uranium 235 isotope
1.	Border pumping station of the IPSA pipeline at Kharaij (head of DU round)	1700 ± 338011	890 ± 72863	207 ± 4807
2.	T-55 tank between crossings 13 and 14	238 ± 6316	158 ± 2784	77
3.	T-72 tank No. 16107	9624	175 ± 3432	30 ± 99
4.	T-55 tank to the left of crossing 9 (closed)	866 ± 83514	311 ± 10811	118 ± 1556
5.	T-72 tank near the UNIKOM post between crossings 12 and 13	938 ± 97883	277 ± 8540	2393
6.	T-72 tank at the foot of Jabal Sanam	793 ± 70042	251 ± 7018	109 ± 1343

7. Radioactivity of uranium isotope 235 and thorium isotope 234 in samples from specific areas

No.	Area	Target	Ratio of uranium 235 to thorium 234
1.	Rumaylah North	(a) BMP-1 personnel carrier (b) MTLB personnel carrier (c) T-72 tank (d) Recovery tank	0.016 - 0.022 0.02
2.	Shamiyah airfield area	(a) T-72 tank (b) WTRKAN personnel carrier	0.017 0.025
3.	Demilitarized zone and contiguous areas	(a) Border pumping station of the IPSA pipeline at Kharaij (head of DU round) (b) T-55 tank between crossings 13 and 14 (c) T-72 tank (d) T-55 tank to the left of crossing 9 (closed) (e) T-72 tank near the UNIKOM post between crossings 12 and 13 (f) T-72 tank at the foot of Jabal Sanam	0.014 0.012 0.01 0.02 0.024 0.02
4.	Reference uranium source		0.518

8. Nature of the areas in which samples were taken

Area	Boundaries	Date		Strategy for selection	Target selected	Coordinates of target	
		From	To			East	North
Rumaylah North	From coordinates 3479 (Nukhaylah) to coordinates 2299 (bridge 44)	27/8	30/8	The area was the axis of the withdrawal of the 10th Armoured Brigade, Republican Guard, two days after the cease-fire. (The brigade was subjected to enemy bombardment while withdrawing to the north during this time.)	1. BMP-1 Personnel carrier 2. MTLB personnel carrier 3. T-72 tank 4. Recovery tank	21195 21505 22015 22934	89564 88802 88060 86883
Shamiyah airfield area and the Kadirat al-Uzaymi area	From coordinates 1772 (Shamiyah intersection) to coordinates 0052 (Uzaymi)	11/9	13/9	The area was the sector of operations of the Adnan/Republican Guard Forces Command and vehicles of the 21st Brigade, Republican Guard.	1. T-72 tank 2. WTRKAN armoured personnel carrier	00519 01092	04162 03339
Demilitarized zone and adjacent areas	From coordinates 4840 (Kharanij area) to Umm Qasr, inclusive, at coordinates 8426 (Umm Qasr port), including Rumaylah South, Barjisiyah, Zubayr, Safwan, Jabal Sanam and the Arabian Gulf base	18/9	25/9	The central and western parts of the area were the sector of operations of the Tawakkalna ala Allah and Al-Madina al-Munawwarah/Republican Guard Forces Command and the northern part lay along the strategic line and axis of withdrawal of the II, III IV and VI Army Corps, particularly the Umm Qasr-Basra and Safwan-Basra roads.	1. Border pumping station of the IPSA pipeline at Kharanij (head of DU round) 2. T-55 tank between crossings 13 and 14 3. T-72 tank No. 16107 4. T-55 tank to the left of crossing 9 (closed) 5. T-72 tank near the UNIKOM post between crossings 12 and 13 6. T-72 tank to the south-east of Jabal Sanam near the warning and control unit	549 825 896	515 957 968

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9. Results of the measurement and analysis of samples from specific areas

Area	Target	Field measurements		Factor increase	Laboratory measurements			Normal level[6]
		Exposure to natural radiation (microroentgen/hour)[1]	Exposure to extraneous radiation (microroentgen/hour)[2]		Concentration of thorium 234 isotope (becquerel/gram)[3]	Concentration of uranium 235 isotope (becquerel/gram)[4]	Ratio of uranium 235 to thorium 234[5]	
Rumaylah North	1. BMP-1 personnel carrier	8.1	24.6	3	25450	407	0.016	0.518
	2. MTLB personnel carrier	8.2	9.7	-	-	-	-	0.518
	3. T-72 tank	8.7	15.1	2	6031	132	0.022	0.518
	4. Recovery tank	7.2	13.2	2	657	13	0.020	0.518
Shamiyah airfield and Kadirat al-Umymi	1. T-72 tank	7	60.8	8.6	538610	9231	0.017	0.518
	2. WTRKAN personnel carrier	7.2	60.3	8.7	1970	44	0.023	0.518
Demilitarized zone and adjacent areas	1. Border pumping station of the IPSA pipeline at Khamsij (head of DU road)	7.4	83	11.2	538011	4807	0.014	0.518
	2. T-55 tank between crossings 15 and 14	7.6	21	2.7	6316	77	0.012	0.518
	3. T-72 tank No. 16107	7.2	23	3	9624	99	0.010	0.518
	4. T-55 tank to the left of crossing 9 (closed)	7.4	67	9	83514	1556	0.020	0.518
	5. T-72 tank near the UNIKOM post between crossings 12 and 13	7.6	69	9	97883	2393	0.024	0.518
	6. T-72 tank to the south-east of Jabal Sanam near the warning and control unit	7	65	9	70042	1343	0.02	0.518

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1. Levels of exposure to natural radiation, measured in units of one millionth of a roentgen. (The roentgen is a unit of measure of extraneous exposure to gamma rays and X-rays.)

2. Levels of exposure in the areas of the samples selected.

3 and 4. The concentration of the isotopes thorium 234 and uranium 235 in the samples taken. (It was not possible to detect their concentration in the normal soil samples.) It is measured in becquerel, the unit of measure of radioactivity and equal to the activity of a radionuclide having one spontaneous nuclear transition per second.

5. The ratio of the concentration of uranium 235 to thorium 234 (a measure of the degree of depletion of uranium).

6. The normal ratio of uranium 235 to thorium 234 to the reference source of uranium.

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General Assembly
Security Council

Distr.
GENERAL

A/50/185
S/1995/401
18 May 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 92 of the preliminary list*
THE SITUATION IN THE OCCUPIED
TERRITORIES IN CROATIA

SECURITY COUNCIL
Fiftieth year

Letter dated 18 May 1995 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

Following the restoration of Croatian authority in the Western Slavonia region, I should like to inform you that the law-enforcement authorities of the Republic of Croatia have discovered payroll lists of officers commissioned in the "Army of Yugoslavia" that have been detached on active duty to the occupied territories of Croatia. The "18th Corps" of the so-called "Army of the Republic of Serbian Krajina" in Okucani (Unit Identification No. 9162) has consistently forwarded its payroll lists to the General Staff of the "Army of Yugoslavia" in Belgrade.

The said lists include the names of 6 colonels, 7 lieutenant-colonels, 8 majors, 13 captains, 9 lieutenants and more than 30 petty officers commissioned in the "Army of Yugoslavia" and paid by the Government in Belgrade. Among them are, for instance: Col. Lazo (Nikole) Babic (ID No. 2705946108874); Col. Slobodan (Ignjatija) Peric (ID No. 2310944312508); Col. Milan (Janka) Jerkic (ID No. 2507947710358); Col. Branko (Stevana) Zebic (ID No. 2310947500038); Col. Djordje (Stevana) Miliksic (ID No. 1093948312518); Col. Milan (Ilije) Romic (ID No. 2901944740836); Lt. Col. Borislav (Zdravak) Stijak (ID No. 2401957501046); Lt. Col. Milanko (Rade) Babic (ID No. 2106955393101); Lt. Col. Stevo (Milana) Harambasic (ID No. 2109958120935); Lt. Col. Ostoja (Djure) Dzambas (ID No. 2208948710219); Lt. Col. Veroljub (Branka) Smiljanic (ID No. 2105947741936); Lt. Col. Milan (Spasoja) Popovic (ID No. 2409949181710); Lt. Col. Ilija (Ljubomira) Vuckovic (ID No. 0107952782842); this is but a small sample of the Yugoslav commissioned officers.

* A/50/50.

As expressed in my letter dated 28 March 1995 (A/50/124-S/1995/229), Croatia considers this as yet another confirmation of the direct involvement of the Belgrade regime in the military occupation of the Republic of Croatia, as has already been established by the General Assembly in its resolution 49/43 of 9 December 1994. This fact provides further evidence that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" did not fulfil its obligation to fully withdraw the "JNA" from the Republic of Croatia.

I should also like to reiterate in this regard the importance of Security Council resolution 871 (1993), which establishes a connection between the involvement of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in the occupied territories of Croatia and the sanctions regime imposed on the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in resolutions 757 (1992), 787 (1992) and 820 (1993); and of resolution 981 (1995), which provides for the control of the international borders of Croatia not under the control of the Croatian authorities by the United Nations Confidence Restoration Operation in Croatia (UNCRO).

I would kindly request your assistance in circulating the text of the present letter as a document of the General Assembly, under item 92 of the preliminary list, and of the Security Council.

(Signed) Mario NOBILO
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/1995/402
19 May 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 15 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government I have the honour to transmit herewith a table detailing the 1,114 bombs, missiles, mines and other ordnance recovered following the various attacks launched against Iraq by the 30 countries of the coalition which were disposed of in the various regions of Iraq from 1 to 30 April 1995.

I should be grateful if you would have this letter, and its annex, circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-15094 (E) 190595 190595 220595

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Annex

Monthly ordnance disposal statement

1-30 April 1995

District	Ordnance and munitions disposed of
Baghdad	6 Russian fragmentation grenades
	1 assault grenade
	1 rocket
	1 unidentified rocket
	1 smoke bomb
	1 assault hand grenade
	1 120-millimetre mortar shell
Babel	1 180-millimetre mortar shell
Dhi Qar	15 spherical bombs
Diyali	1 82-millimetre mortar shell
Ta'mim	41 fragmentation and assault grenades
	1 helicopter-launched rocket
Kerbela	1 rocket-propelled tear-gas grenade
	1 120-millimetre mortar shell
Maysane	16 rockets
	10 mortar shells
	25 tear-gas grenades
	50 anti-personnel bombs
Nadjef	10 tube-launched grenades
Muthanna	6 old spherical bombs
	462 82-millimetre shells
	135 tank shells
	33 sea mines
	13 62-millimetre mortar shells
Basra	13 cluster bombs
	6 spherical bombs
	13 120-millimetre mortar shells
	13 spindle bombs

Basra estuary	1	155-millimetre cannon shell
	3	missile containers
	126	180-millimetre mortar shells
	15	FAZ anti-tank missiles
	14	FAZ anti-personnel missiles
	18	detonators for various munitions
	24	propellent charges
	16	Russian FAL MARA mines
	19	62-millimetre mortar shells.

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GENERAL

S/1995/403
19 May 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 18 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that United States aircraft have continued to violate Iraqi airspace during the period 21 to 30 April 1995 on reconnaissance and provocation flights.

Date		Details
21 April 1995	(a)	Northern region: 11 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Mossoul, Dohouk, Tal Afar, Zakho, Ain Zala and Amadiya.
	(b)	Southern region: 22 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Nassiriya, Samawa, Joulaiba, Artawi and Bassiya.

- On the same day two United States TR-1 reconnaissance aircraft violated Iraqi airspace, overflying southern Iraq at 600 kilometres per hour at an altitude of 20,000 metres, as detailed below:

  1. The first flight lasted from 1000 to 1132, when the aircraft flew off towards Kuwait;

  2. The second flight lasted from 1345 to 1510, when the aircraft flew off towards Kuwait.

Date	Details
22 April 1995	(a) Northern region: 13 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Zakho, Dohouk, Amadiya, Mossoul, Tal Afar, Ain Zala and Aqra. (b) Southern region: 61 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Qorna, Nassiriya, Bassiya, Chebaish, Samawa, Salmane, Chinafiya, Joulïba and Artawi. - On the same day two United States TR-1 reconnaissance aircraft violated Iraqi airspace, overflying southern Iraq at 600 kilometres per hour at an altitude of 20,000 metres, as detailed below: 1. The first flight lasted from 0950 to 1202, when the aircraft flew off towards Kuwait; 2. The second flight lasted from 1245 to 1455, when the aircraft flew off towards Kuwait.
23 April 1995	Southern region: 56 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Basra, Nassiriya, Samawa, Chinafiya, Salmane, Qorna, Joulaïba, Chebaish and Artawi.
24 April 1995	(a) Northern region: 19 sorties Speed: 600 to 900 kilometres Altitude: medium Areas overflown: Mossoul, Dohouk, Tal Afar, Zakho and Amadiya.

Date	Details
	(b) Southern region: 42 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Nassiriya, Samawa, Salmane, Chinafiya, Joulaiba and Artawi. - On the same day two United States TR-1 reconnaissance aircraft violated Iraqi airspace, overflying southern Iraq at 600 kilometres per hour at an altitude of 20,000 metres, as detailed below: 1. The first flight lasted from 0955 to 1122, when the aircraft flew off towards Kuwait; 2. The second flight lasted from 1250 to 1420, when the aircraft flew off towards Kuwait. - On the same day at 1245 a flight of two enemy aircraft released three flares near the town of Mossoul in the governorate of Ninive. - On the same day at 1246 a flight of two enemy aircraft broke the sound barrier near the town of Khalis in the governorate of Diyala.
25 April 1995	(a) Northern region: 10 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Zakho, Dohouk, Mossoul, Arbil, Tal Afar, Amadiya and Ain Zala. (b) Southern region: 54 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Basra, Qorna, Chebaish, Nassiriya, Samawa, Salmane, Bassiya, Joulaiba and Artawi.

Date		Details
	-	On the same day two United States TR-1 reconnaissance aircraft violated Iraqi airspace, overflying southern Iraq at 600 kilometres per hour at an altitude of 20,000 metres, as detailed below: 1. The first flight lasted from 1015 to 1210, when the aircraft flew off towards Kuwait; 2. The second flight lasted from 1335 to 1527, when the aircraft flew off towards Kuwait.
26 April 1995	(a)	Northern region: 15 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Dohouk, Arbil, Mossoul, Tal Afar, Zakho and Amadiya.
	(b)	Southern region: 31 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Nassiriya, Samawa, Chebaish, Basra, Artawi, Qorna and Joulaiba.
	-	On the same day, at 1310, an enemy flight broke the sound barrier over the Souq al-Chouyoukh region.
27 April 1995	(a)	Northern region: 7 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Mossoul, Arbil, Dohouk, Tal Afar, Ain Zala and Amadiya.
	(b)	Southern region: 36 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Nassiriya, Samawa, Basra, Salmane, Joulaiba, Artawi and Bassiya.

Date	Details
28 April 1995	(a) Northern region: 27 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Zakho, Amadiya, Dohouk, Mossoul, Aqra, Arbil, Tal Afar and Ain Zala. (b) Southern region: 52 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Artawi, Joulaiba, Samawa, Bassiya, Nassiriya, Chebaish, Salmane, Lassaf and Qorna.
29 April 1995	Southern region: 52 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Nassiriya, Samawa, Amara, Basra, Qorna, Chebaish and Chinafiya. - On the same day two United States TR-1 reconnaissance aircraft violated Iraqi airspace, overflying southern Iraq at 600 kilometres per hour at an altitude of 20,000 metres, as detailed below: 1. The first flight lasted from 1015 to 1135, when the aircraft flew off towards Kuwait; 2. The second flight lasted from 1320 to 1435, when the aircraft flew off towards Kuwait.
30 April 1995	Southern region: 39 sorties Speed: 600 to 900 kilometres per hour Altitude: medium Areas overflown: Nassiriya, Samawa, Qorna, Joulaiba, Salmane, Artawi and Bassiya.

Date	Details
-	On the same day two United States TR-1 reconnaissance aircraft violated Iraqi airspace, overflying southern Iraq at 600 kilometres per hour at an altitude of 20,000 metres, as detailed below: 1. The first flight lasted from 1210 to 1237, when the aircraft flew off towards Kuwait; 2. The second flight lasted from 1210 to 1430, when the aircraft flew off towards Kuwait.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/404
19 May 1995

ORIGINAL: ENGLISH

THE SITUATION CONCERNING WESTERN SAHARA

Report of the Secretary-General

I. INTRODUCTION

1. The present report is submitted to the Security Council in pursuance of resolution 973 (1995) of 13 January 1995 and the statement by the President of the Security Council of 12 April 1995 (S/PRST/1995/17). It covers developments since my report of 30 March 1995 (S/1995/240 and Add.1) and is divided into five main sections: sections II and III cover the identification process and other aspects of the settlement plan (S/21360 and S/22464 and Corr.1); section IV discusses military and civilian police matters; section V deals with the financial aspects; and section VI contains my observations and recommendations.

II. IDENTIFICATION PROCESS

2. Since it began on 28 August 1994, the identification of applicants for participation in the referendum has progressed slowly but incrementally. In February and March 1995, the number of identification centres was increased from four to seven and the United Nations Mission for the Referendum in Western Sahara (MINURSO) achieved its goal of processing at least 150 persons a day at each centre. On 3 April, the eighth centre became operational, at the Dakhla camp 180 kilometres south of Tindouf. Establishing that centre had been particularly difficult, as access to the camp by desert tracks made the transportation of equipment and supplies hazardous and time-consuming. Eight MINURSO identification centres are now fully operational, at all four refugee camps in the Tindouf area and all four population centres in the Territory.

3. Despite increased operational capabilities, the rate of identification has been uneven. The operation has been interrupted periodically by difficulties relating to the timely availability of tribal leaders (sheikhs) and party representatives and to weather conditions and logistics. The process can be interrupted at any centre on any day if the sheikh concerned is not available on time, as it is he who identifies the members of his own subfraction and provides oral testimony in support of their eligibility to vote. In March and early

April, severe sandstorms grounded aircraft and stopped vehicular transport on several occasions, thus halting the operation for days. There have also been many interruptions as a result of religious and other official holidays and observances.

4. As noted in my last report, the timely availability of tribal leaders or persons to replace those elected in 1973 and no longer living had been the single greatest obstacle to identification since the process began. In February, my Deputy Special Representative, Mr. Erik Jensen, submitted to the two parties a proposal for dealing with the cases of subfractions where there was no surviving and competent sheikh on one side or the other. Agreement by the parties to his proposal permitted identification to proceed in earnest. By mid-March, over 21,300 persons had been identified. The process continued throughout March and April at most centres. However, difficulties arose in the interpretation and implementation of certain points of the agreement. At the end of April, identification was taking place at only three centres, as problems were obstructing progress at the other five.

5. With a view to addressing the concerns of the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (POLISARIO), my Deputy Special Representative held, from 26 to 28 April in the Tindouf area, a series of consultations with the POLISARIO political leadership, as well as with community and tribal leaders. He proposed an interpretation regarding the issue of the eldest son, for which the Frente POLISARIO had preferred a restrictive interpretation, and a formula for dealing with all cases where, because of sickness or for some other compelling reason, the sheikh or his agreed alternate was not available. The Frente POLISARIO accepted those proposals. My Deputy Special Representative also met with the responsible Moroccan officials to establish the Moroccan position in response to his proposals and they confirmed their agreement. As a result of those efforts, both sides agreed to resume identification at all eight centres. On 1 May, the sheikhs, representatives and observers travelled to their respective centres and, on 2 May, identification was resumed at all eight centres. That week saw the highest total of persons identified to date.

6. During the period since my last report, the parties have not entirely abandoned their earlier insistence that if, for some reason, identification stopped at a centre on one side, then as a matter of reciprocity it must also be stopped at a centre on the other side. Should this attitude persist, it would become more problematic as MINURSO approached the halfway mark in the identification of applicants. It can be expected that all applicants will have been processed in the refugee camps in the Tindouf area before identification is completed at all centres in the Territory. Attachment to a maximum of 150 persons to be identified daily at any given centre, which was originally intended as a reasonable target, imposes another unnecessary limitation.

7. The additional resources made available under Security Council resolution 973 (1995) allowed MINURSO to resolve many technical and logistic problems, enabling it to identify on occasion 800 to 900 persons in one day. This confirms that it is quite feasible to identify 1,000 persons a day, if the tribal leaders and representatives are available when and where required and if

no constraints are imposed on the balance of centres or on the numbers of applicants to be identified daily.

8. As of 15 May 1995, 35,851 persons have been identified. This is far below the figure that MINURSO would be technically capable of achieving if the full cooperation of the parties, as called for by the President of the Security Council in his statement of 12 April, was invariably forthcoming. However, on the basis of the information available, 44.4 per cent (12,819 out of 28,831) of the persons to be identified in the camps near Tindouf and 28.1 per cent (23,032 out of 81,855) of those in the population centres of the Territory have been through the process.

9. The legal review of all cases is making good progress. Information concerning the assessment of Identification Commission members, the testimony of tribal leaders and documentary evidence is being data-processed for verification purposes, to ensure compatibility and prevent duplication.

10. I am encouraged that, in spite of all the communications, logistics and other difficulties encountered, individuals are showing a real commitment to the identification process, often travelling under arduous conditions and then waiting patiently for their turn to be identified.

11. At present, eight representatives of the Organization of African Unity (OAU) are observing the identification operation. When the number of identification centres was expanded, the President of Tunisia, in his capacity as current Chairman of OAU, in consultation with the Secretary-General of OAU, assigned additional observers at once, thus enabling the Identification Commission to continue its work smoothly. Two more OAU observers are expected to arrive in the mission area in May.

III. OTHER ASPECTS RELEVANT TO THE FULFILMENT OF THE SETTLEMENT PLAN

12. In its resolution 973 (1995), the Security Council requested me to report on my final plans for implementing all elements of the settlement plan and on the responses of the parties. The cease-fire is already in place. Other activities undertaken or to be undertaken in the next few months in fulfilment of the plan are described below.

Reduction of Moroccan troops in the Territory

13. In July 1995, I intend to address a letter to the Government of Morocco requesting that it provide information on the strength and location of its military forces in the Territory, with a plan and timetable for their reduction to the accepted level of 65,000 all ranks. Eleven weeks after D-Day, the MINURSO military unit will verify that the Moroccan troop strength in the Territory does not exceed that level. As noted in my last report, the Moroccan authorities have confirmed Morocco's preparedness to implement fully the provisions of the settlement plan relating to the reduction of Moroccan troops in the Territory once the start of the transitional period has been determined.

Confinement of POLISARIO troops

14. During the consultations held in 1991 by the former Special Representative, the Frente POLISARIO had objected to the suggestion that its troops be confined outside the Territory, while Morocco had refused to agree that the POLISARIO troops be confined in the area between the sandwall (berm) and the international border of Western Sahara. My Deputy Special Representative will continue his consultations in the field with the parties and the neighbouring countries in July 1995 and the Secretariat will hold a last round of consultations in August. I shall make a final ruling on the matter in September.

Release of political prisoners and detainees

15. The independent jurist, Mr. Emmanuel Roucounas, is reviewing the research work undertaken by his predecessor on the question of political prisoners. On 15 May, he proceeded to the Mission area to consult with the parties and establish a programme of work for the months ahead.

Exchange of prisoners-of-war

16. As also noted in my last report, the International Committee of the Red Cross (ICRC) has stated that it is ready to start working on the release of prisoners-of-war (POWs) as soon as the parties are ready to do so. I reiterate my hope that further sustained efforts will enable ICRC to achieve the release of all POWs from both sides as soon as possible after the transitional period begins.

Code of conduct

17. In my last report, I informed the Council that the Secretariat had striven to reconcile, to the extent possible, the views of the two parties on the code governing their conduct during the referendum campaign. The draft will be finalized within the next few weeks, in consultation with the parties. I expect to present the final text to the parties in early July 1995.

Return of refugees, other Western Saharans and members of the Frente POLISARIO entitled to vote

18. The Office of the United Nations High Commissioner for Refugees (UNHCR) is progressing with preparations for the repatriation of refugees, in conformity with its mandate. UNHCR will continue to consult closely with other relevant units of MINURSO on the detailed modalities of the repatriation programme, as an integral part of the MINURSO operation. UNHCR has assigned an officer to Tindouf to prepare plans for the logistic aspects of repatriation. A technical mission is also scheduled to visit the Mission area by the end of May to assess water requirements for repatriation.

IV. MILITARY AND CIVILIAN POLICE ASPECTS

Military component

19. As of 5 May 1995, the military component of MINURSO, headed by the Force Commander, Brigadier-General André Van Baelen (Belgium), totalled 288 personnel, comprising 240 military observers and 48 military support personnel (see annex I to the present report).

20. Pending the fulfilment of the conditions necessary for the commencement of the transitional period, the military mandate of MINURSO remains restricted to monitoring and verifying the cease-fire.

21. During the reporting period, both parties continued to respect the cease-fire, which has been in effect since 6 September 1991. The continuous patrolling activities of United Nations military observers have contributed to the successful implementation of the cease-fire. Daytime and overnight patrols take place on a daily basis. During an average month, over 600 ground and 140 aerial reconnaissance patrols are conducted in extremely harsh conditions and over great distances. The constant presence of military observers has helped to build the confidence of the parties in the neutrality and impartiality of MINURSO and they continue to extend their full cooperation in this respect.

22. As noted in my last report, plans for the full deployment of the military component of MINURSO are being finalized. To avoid the expense of premature deployment, consideration is being given to the possibility of deploying military personnel at the same time as the final list of voters is published.

Civilian police component

23. As of 5 May, the civilian police component of MINURSO, headed by the Police Commissioner, Colonel Wolf-Dieter Krampe (Germany), totalled 98 observers from Austria (10), Egypt (11), Germany (5), Ghana (8), Hungary (13), Malaysia (15), Nigeria (15), Norway (2), Togo (9) and Uruguay (10). Fifteen observers from Ireland and 3 from Norway are to be deployed in the coming weeks, bringing the total strength of the component to 116, which is considered sufficient to carry out its present tasks. I have decided therefore to maintain it at this strength until conditions necessitate the deployment of additional civilian police observers, up to the total of 160 authorized by the Council.

24. Pending the commencement of the transitional period, the activities of the civilian police component remain limited to providing support services, security and other assistance to the identification process. The concept of operations for the full deployment of the component is being developed. It is important that the parties cooperate fully with MINURSO by providing the necessary information in this regard.

25. During the reporting period, MINURSO has been compelled to repatriate some civilian police observers who lacked the technical skills required to carry out their tasks. I should like to remind the contributing countries that MINURSO civilian police personnel must have good driving skills and be fluent in either English or French.

Logistic aspects

26. The safety of MINURSO personnel, especially those stationed in remote areas, depends on a strong logistic support system. The vastly increased activity of the Identification Commission has placed further demands on the logistic capabilities of the Mission, especially in terms of ground and air transport. The possible provision of an additional helicopter, as well as additional flying hours, is being reviewed. The Secretariat is making every effort to meet the logistic requirements of MINURSO within the current budget and in a timely manner.

27. With the deployment of the Identification Commission to the Tindouf area, MINURSO should have air transport and air medical evacuation capability in that region. This is especially important at the Dakhla camp, which can be reached only by a drive of three or more hours from Tindouf across desert terrain. An additional constraint in Tindouf is the restriction on after-dark landing and take-off. My Deputy Special Representative is approaching the Algerian authorities to secure clearance to fly over their territory and seek permission for landing and take-off during non-daylight hours. It is hoped that the necessary permissions will be granted shortly.

28. The extreme temperatures, especially in the Tindouf area, where the thermometer can rise as high as 63 degrees Celsius, could drastically impede, even halt, the identification process. Measures are therefore being taken to ensure that the capacity to generate power and air conditioning is provided and maintained in these areas.

29. As noted in my report of 14 July 1994 (S/1994/819), the Australian signals unit of 45 all ranks had withdrawn in May 1994. In the absence of a military unit to replace it, an additional nine military observers were deployed in order to operate the communications system of the MINURSO military component. However, this arrangement has not proved satisfactory, as military observers do not possess all the technical skills required. The Secretariat is, therefore, consulting with potential contributing countries with a view to replacing the 9 military observers with a signals unit of 45 all ranks. This might have budgetary implications. With the full deployment of the military component during the transitional period, the signals unit would need to be strengthened to approximately 130 all ranks.

V. FINANCIAL ASPECTS

30. In its decision 49/466 B of 6 April 1995, the General Assembly authorized me to enter into a financial commitment in the amount of $4,806,600 gross ($4,426,000 net) for the maintenance of MINURSO for the month of June 1995, subject to the extension of its mandate by the Security Council after 31 May.

31. My report of 7 March 1995 to the General Assembly on the financing of MINURSO (A/49/559/Add.1 and Corr.1) includes cost estimates for the maintenance of the Mission beyond 30 June 1995 at the rate of $5,619,400 gross ($5,123,000 net) per month. The General Assembly will consider that report at its resumed forty-ninth session.

32. As of 30 April 1995, the unpaid assessed contributions to the special account of MINURSO amounted to $20,271,748. In order to provide the Mission with the necessary cash flow, a total of $11.4 million was borrowed from other peace-keeping accounts. These loans remain unpaid. The total outstanding assessed contributions for all peace-keeping operations on 30 April was $1.9 billion.

VI. OBSERVATIONS AND RECOMMENDATIONS

33. Under the settlement plan, the parties, namely the Kingdom of Morocco and the Frente POLISARIO, recognize that sole and exclusive responsibility for the organization and conduct of the referendum in Western Sahara is vested in the United Nations. Having agreed in principle to the settlement proposals, the parties undertook to cooperate fully with the Special Representative of the Secretary-General in the performance of his functions. They are thus expected to facilitate the work of MINURSO, which can function only with their active support. With regard to the identification and registration process, my predecessor stated in his report of 19 December 1991 (S/23299) that "such a complex exercise can succeed only with the cooperation of the parties in a spirit of objectivity and fairness. To carry out its task, the Commission must work in an atmosphere of trust and serenity which the parties must promote. Needless to say that without their cooperation, even the most vigorous efforts by the United Nations cannot enable it to fulfil its mission, whatever the human resources and financial means put at its disposal."

34. It has been five years since the settlement plan and MINURSO came into effect. The plan provided that the transitional period and the cease-fire would begin simultaneously. However, the political circumstances have been such that, while the cease-fire was implemented and has been observed since 6 September 1991, the widely differing positions and preoccupations of the parties led to prolonged consultations in the search for compromises on other aspects of the plan. In consequence, the timetable for its implementation has been subjected to considerable adjustment.

35. With the cessation of hostilities and the delinking of the coming into effect of the cease-fire from the start of the transitional period, both parties may have lost some of the incentive to cooperate unreservedly in implementation of the other elements of the settlement plan. It took two and a half years, through long and arduous negotiations, to reach agreement on the criteria for voter eligibility. Other equally contentious issues remain to be resolved.

36. When the settlement plan came into effect in 1990, the complexity and sensitivity of the identification process were not foreseen. Major problems, which arise on a daily basis, have compelled MINURSO to make strenuous efforts to keep the process on track. It has taken 10 months to process less than one third of the persons to be identified in the population centres of the Territory and the camps near Tindouf, but many barriers that seemed insurmountable have been overcome and much has been achieved that now seems irreversible. Potential voters are prepared to travel and to wait for hours in uncomfortable conditions. Parents and children, siblings, family members and friends are meeting for the first time after 18 years of conflict. The process represents the first genuine

hope in two decades for resolving the dispute and makes it impossible for the parties to revert to their previous positions without the most serious repercussions.

37. It must be reiterated, however, that the process cannot be brought to a successful conclusion without the full cooperation of the parties. Given the means and the opportunity, MINURSO can address the technical difficulties as they develop. It cannot, however, force the parties to continue with the process if they choose not to do so. I call on them once again to work with MINURSO in a spirit of genuine cooperation. They should not limit the number of persons to be identified to any maximum on any given day. Nor should they interrupt the process at a centre on one side if it is technically not possible to proceed with identification in a centre on the other side. Identification must continue wherever it is required and as expeditiously as possible. I also call on the parties to provide their full support to UNHCR in the preparations for the repatriation of refugees.

38. If MINURSO is permitted to proceed rapidly with identification, the referendum can take place early next year. Meanwhile, and before confirming the date for the start of the transitional period, progress must be achieved on other important aspects of the settlement plan. This requires the following steps: in early July, I shall forward to the parties the final text of the code of conduct and shall inform the Council accordingly. In August, I shall inform the Council of the progress made by the independent jurist on the release of political prisoners. In September, I shall make a ruling on the confinement of the Frente POLISARIO troops. By that time, I should also have received confirmation from the Government of Morocco on the arrangements for the reduction of its troops in the Territory.

39. Monitoring these benchmarks will enable the Security Council to assess the parties' willingness to press ahead with the implementation of the plan. Equally important will be sufficient progress in identification and registration to permit the referendum to be held in early 1996. I therefore recommend that the Security Council extend the mandate of MINURSO for a period of four months. By the end of September, I shall assess all the progress achieved and, on this basis, make recommendations to the Security Council for the fulfilment of the United Nations mandate in Western Sahara.

40. The United Nations and OAU have worked together in a true spirit of cooperation throughout the identification process and I should like to thank OAU, and its observers, for the efforts that have gone into making the process work. I am also grateful for the untiring efforts of my Deputy Special Representative in moving the process forward.

41. In closing, I should also like to thank the parties for their practical support to MINURSO and the neighbouring countries for their assistance and cooperation.

Annex I

Composition of MINURSO military component

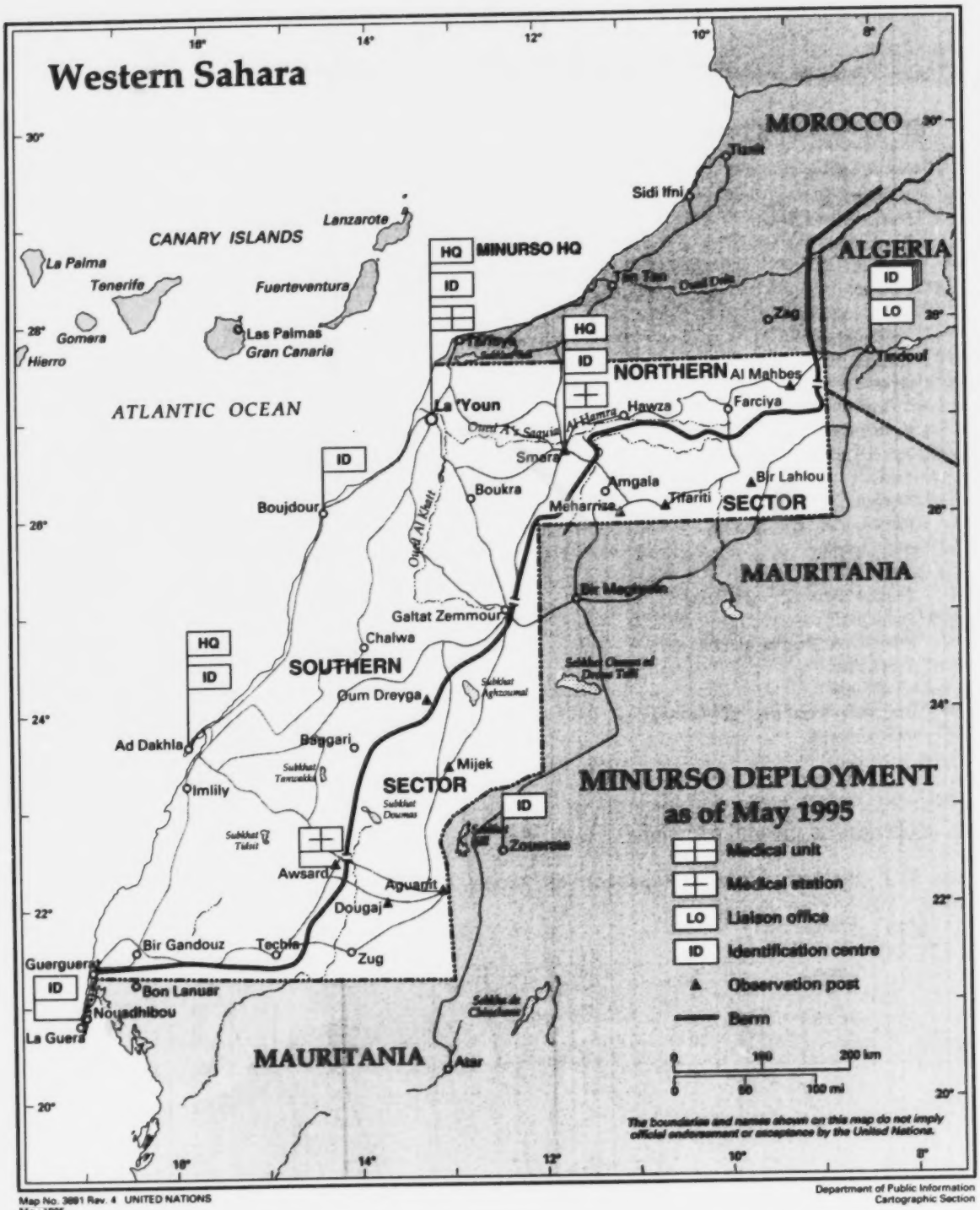
A. Military observers

Argentina	7
Austria	4
Bangladesh	7
Belgium	1
China	20
Egypt	12
El Salvador	2
France	27
Ghana	6
Greece	1
Guinea	1
Honduras	14
Ireland	9
Italy	6
Kenya	10
Republic of Korea	2
Malaysia	15
Nigeria	4
Pakistan	4
Poland	2
Russian Federation	30
Tunisia	9
Uruguay	15
United States of America	30
Venezuela	2
Total	240

B. Military support personnel

(i) Medical Unit: Republic of Korea	40
(ii) Clerical: Ghana	8
Total	48
Grand total	288

Annex II


Western Sahara
MOROCCO
ALGERIA
MAURITANIA
ATLANTIC OCEAN
CANARY ISLANDS
Lanzarote
La Palma
Tenerife
Fuerteventura
Gomera
Las Palmas
Gran Canaria
Hierro
Tarfaya
Sidi Ifni
Tan Tan
Oued Dahb
Zag
Tindouf
HQ
MINURSO HQ
ID
LO
NORTHERN SECTOR
Al Mahbes
Farciya
Hawza
La'Youn
Oued A's Saguia
Al Hamra
Smara
Amgala
Bir Lahlou
Tifariti
Meharrize
Boukra
Boujdour
Oued Al Khatt
Bir Mogrein
Galtat Zemmour
Chalwa
SOUTHERN SECTOR
Gum Dreyga
Mijek
Ad Dakhla
Baggari
Imlily
Zouerate
Awsard
Aguanit
Dougaj
Bir Gandouz
Techla
Zug
Guerguerat
Bon Lanuar
Nouadhibou
La Guera
Atar
MINURSO DEPLOYMENT
as of May 1995
Medical unit
Medical station
Liaison office
Identification centre
Observation post
Berm
200 km
100 mi
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
Map No. 3891 Rev. 4 UNITED NATIONS
May 1995
Department of Public Information
Cartographic Section

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/405
19 May 1995

ORIGINAL: ENGLISH

LETTER DATED 19 MAY 1995 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The recently intensified campaign of murder, ethnic cleansing and destruction of cultural and religious objects of non-Serbs, in this case Catholics in the Serbian-occupied areas has one more time in recent days been brutally exhibited in Banja Luka. At 3 a.m. on 18 May 1995, the Serbian occupation authorities of Banja Luka dynamited yet another Roman Catholic Church and burned the adjoining parochial residence. This dynamiting was preceded by the vicious torture of a vicar and two sisters and the looting of the victims' personal belongings.

This latest incident follows numerous other acts of murder, looting and destruction by the Serbian occupation authorities including those documented by previous letters to the Security Council (S/1995/356, S/1995/369, S/1995/393).

Yesterday, the so-called Minister for Religious Issues in Karadžić's self-proclaimed Republic of Srpska, in the daily news programme of TV Banja Luka, attempted to justify the murder of Priest Filip Lukenda and Sister Cecilia Grgić, which had taken place on 12 May 1995, about which I had informed you in my letter dated 16 May 1995 (S/1995/393).

Regrettably, the Security Council has not yet reacted to these letters that, individually and collectively, indicate an evident and intensified pattern of terror by Karadžić's authorities and police against the non-Serb populations, and the total cleansing of Croats and Bosniacs, which has manifested itself as part of a premeditated policy.

This pattern as yet remains unconfronted.

Such cruel and methodical destruction of centuries-old monuments of Roman Catholic and Islamic culture has been unprecedented in our regions and did not occur even during the Nazi occupation, from 1941 to 1945.

The current unscrupulous persistence of Karadžić's Serbs in pursuing ethnic cleansing in every region under their control is growing, concurrent with the apparent lack of even verbal condemnation of these acts or warnings of the consequences that those who have committed these crimes may face: resolute action to protect the non-Serb populations.

May I ask for your kind assistance in distributing this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/406
18 May 1995

ORIGINAL: ENGLISH

LETTER DATED 18 MAY 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit the attached report, which was addressed to me on 17 May 1995 by the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, concerning the operations of the International Conference's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro). This report by the Co-Chairmen contains the certification referred to in Security Council resolution 988 (1995).

I should be grateful if you would bring this information to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

95-14687 (E) 190595 220595

/...

Annex

Operations of the International Conference on the Former Yugoslavia's Mission to the Federal Republic of Yugoslavia (Serbia and Montenegro)

I. INTRODUCTION

1. The present report is submitted pursuant to Security Council resolution 988 (1995), adopted on 21 April 1995. In paragraph 5 of the resolution, the Security Council underlined the importance it attached to the work of the International Conference on the Former Yugoslavia's Mission, expressed its concern that a shortage of resources hampered the effectiveness of that work and requested the Secretary-General to report to it within 30 days of the adoption of the resolution on measures to increase the effectiveness of the work of the Mission, including on the question of helicopter flights. The Security Council also requested Member States to make available the necessary resources to strengthen the Mission's capacity to carry out its task. The report on a special inquiry into helicopter flights was submitted to the Security Council on 11 May 1995 (S/1995/385). The question of measures to increase the effectiveness of the Mission is dealt with in section IV below. In paragraph 13 of its resolution, the Council requested that the Secretary-General submit every 30 days for its review a report from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the border closure measures taken by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro). Developments during the past 30 days are dealt with in the present report.

2. In paragraph 16 of its resolution, the Security Council, furthermore, encouraged the Co-Chairmen of the Steering Committee to ensure that the Mission kept the Government of the Republic of Bosnia and Herzegovina, the Government of the Republic of Croatia and the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) fully informed about the findings of the Mission. Pursuant to this provision, the Co-Chairmen have instructed the Head of the Mission to bring to their attention any findings of special concern to any of the three countries so that the Co-Chairmen can transmit it to them. In this regard, they have written to the Minister for Foreign Affairs of the Republic of Croatia to report in more detail about the Sremska Raca border crossing-point earlier in May.

3. It will be recalled that, on 4 August 1994, the following measures were ordered by the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) to come into effect the same day:

(a) "To break off political and economic relations with the 'Republika Srpska'";

(b) "To prohibit the stay of the members of the leadership of the 'Republika Srpska' (Parliament, Presidency and Government) in the territory of the Federal Republic of Yugoslavia";

(c) "As of today the border of the Federal Republic of Yugoslavia is closed for all transport towards the 'Republica Srpska', except food, clothing and medicine".

4. On 19 September, 3 October, 2 November and 5 December 1994, 5 January, 3 February, 2 and 31 March and 13 April 1995, the Secretary-General transmitted to the Security Council reports from the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia on the state of implementation of the above-mentioned measures (S/1994/1074; S/1994/1124; S/1994/1246; S/1994/1372; S/1995/6; S/1995/104; S/1995/175; S/1995/255 and S/1995/302). The report dated 13 April 1995 contained the following certification from the Co-Chairmen.

"In the light of the foregoing developments based on the Mission's on-site observation, and in the absence of any contrary information from the air, whether the airborne reconnaissance system of the North Atlantic Treaty Organization (NATO) or national technical means, and aside from the reported tracking of possible helicopters crossing the border, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the land border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces. The Co-Chairmen also conclude that during the period covered by this report there have been no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina."

5. Developments in the past 30 days are reported below.

II. LEGISLATION/REGULATIONS ON THE BORDER CLOSURE

6. The legislation of the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) closing the border with the Bosnian Serbs continues to be in effect.

7. In accordance with federal government law, the border crossings will be open for passenger traffic during May, June and July from 4 a.m. to 8 p.m. The border crossings at Sremska Raca and Vilusi will be open for passenger and freight traffic 24 hours a day.

8. The authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) have provided the Mission with the following list of confiscations conducted along its border with Bosnia and Herzegovina for April 1995:

Petrol	11.5 tons
Diesel	11.1 tons
Cigarettes	1 ton
Construction material	472 kilograms
Wood	61 cubic metres
Alcohol	2,838 litres
Food	32 tons

Textiles, clothing, footwear	460 kilograms
Motor vehicles	6
Electrical gadgets	13
Coffee	21 kilograms
Other goods	4.1 tons

9. There were 102 customs offence procedures initiated during the month and 84 were finalized. Fines and penalties amounted to 438,500 dinars. Confiscations during the month have gained momentum. The number of new offence cases was well above the average of the previous eight months and there was a substantial increase in the amount of penalties of the adjudicated cases, which almost doubled those of March.

10. After fighting started in Sector West on 1 May, a difficult situation developed at Sremska Raca border crossing. Customs authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) informed the Mission on 5 May that 100 trucks said to be carrying livestock, perishable and other goods and timber were waiting on the road leading to Sremska Raca. The circumstances surrounding the incident were forwarded for consideration of the Security Council Committee established pursuant to resolution 724 (1991). On 10 May that Committee gave permission for only livestock and perishable goods to transmit the Federal Republic of Yugoslavia (Serbia and Montenegro) into "Sector East" in a convoy. The Mission sought to implement the decision of the Security Council Committee established pursuant to resolution 724 (1991) scrupulously and, in the end, only two trucks carrying perishable goods were allowed to cross the border at Sremska Raca by 12 May. They were escorted by Mission personnel and authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) into "Sector East". Having regard to the provisions of paragraph 16 of resolution 988 (1995), the Co-Chairmen have written to the Ministers for Foreign Affairs of the Republic of Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) giving them a more detailed report on this matter.

11. In accordance with the memorandum of understanding on the control of Yugoslav Red Cross consignments, substantial quantities of concealed goods were found and refused because they could be considered as trade. Under the rules of the memorandum of understanding on buses, the scrutiny of long-distance unscheduled buses was intensified. Buses transporting commercial quantities of goods and hidden fuel were regularly denied entry. In Sector Alpha, the performance of customs officers at the four crossing-points improved considerably.

III. ORGANIZATION, FINANCING AND WORK OF THE MISSION

12. As of 15 May 1995, 154 international Mission personnel are on duty with the Mission. The Mission personnel to date have come from the following countries: Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Netherlands, Norway, Portugal, Russian Federation, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America.

13. The number of international Mission personnel is still too low to staff all existing border crossing-points and fell below the absolute minimum level of 150 monitors at the end of April and the beginning of May. Owing to the persistent shortage of personnel and the necessity of having two international monitors at each border crossing-point, the Mission Coordinator ordered a temporary withdrawal of personnel from three border crossing-points. From 1 to 21 May, Mission monitors were no longer positioned at the following border crossing-points:

Sector Bajina Basta:	BCP Skelani (staffed only intermittently)
Sector Bravo:	BCP Sula
Sector Charlie:	BCP Krstac

14. Withdrawal from these border crossing-points was considered by the Mission Coordinator to be low-risk because of their remote location and the paucity of traffic crossing the border. They were staffed by the local authorities, visited regularly by Mission mobile patrols, and were restaffed by the Mission as soon as resources permitted. An updated list of the border crossing-points in the Mission is attached in appendix A* of this report.

15. Following the submission of the final report on the Inquiry into unexplained radar traces between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina (S/1995/385), the Mission Coordinator has appointed a member of the Mission to be air operations officer. He is a qualified fighter (aircraft) controller and is suited to this important position. Working within the Mission's Operations Sector, he will endeavour to develop the means of monitoring the airspace above the border of the Federal Republic of Yugoslavia (Serbia and Montenegro) and Bosnia and Herzegovina. Initially, he will establish approved links between the Mission, the United Nations, NATO and the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro). This will assist in the timely investigation of alleged infringements, should they occur. Also using existing resources, both human and material, he will seek ways of improving visual detection from the ground. This can be achieved by improving real-time communications and alerting procedures among the Missions's monitors. Finally, he will propose means to enhance future surveillance.

IV. MEASURES TO INCREASE THE EFFECTIVENESS OF THE WORK OF THE MISSION

16. In paragraph 5 of resolution 988 (1995), the Security Council underlined the importance it attached to the work of the Mission, expressed its concern that a shortage of resources hampered the effectiveness of that work and requested the Secretary-General to report to the Security Council within 30 days on measures to increase the effectiveness of the work of the Mission, including on the question of helicopter flights.

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* The appendix is available for consultation with the Secretariat (Department of Political Affairs, Europe Division, room 3755A).

17. Unfortunately, the Mission has been facing a stringent financial situation, even though the position has, in the last few days, improved and, as of 16 May 1995, the Mission had a cash balance of US$ 900,000 and liabilities totalling US$ 150,000. A voluntary contribution of US$ 256,000 has been promised but has not yet arrived, and the Mission is currently owed approximately US$ 3 million. It should be mentioned in this regard that some Governments have taken the position that they are not obliged to pay assessed contributions and make only voluntary contributions.

18. The precarious financial situation of the Mission has existed since the beginning of March 1995. Owing to non-payment of contributions, all new arrivals to the Mission were stopped as of 6 March 1995. At that time the Mission had 194 international members covering 19 border crossing-points. A special meeting of the Steering Committee of the International Conference was convened on 10 March to discuss the financial crisis. Following that meeting, a new six-month budget was drawn up for the Mission with effect from 1 April 1995. That budget provided for contributions in the amount of US$ 3.66 million and, if met, would have enabled the complement of international personnel to be increased to 250.

19. Unfortunately, payments of contributions to this six-month budget have been considerably delayed, with the result that by 16 May 1995 the Mission had decreased to 152 international members. The Mission has also been obliged to take a number of measures to reduce operating costs. Telephone charges were cut substantially and the number of rented vehicles at Mission headquarters was cut by two thirds. This cut has subsequently been offset by voluntary contributions of 60 vehicles. Other voluntary contributions have included a radio equipment network, office equipment and visual aids. Despite these savings, the Mission has still run into difficulties and had temporarily to stop staffing the three border control points referred to in section III above.

20. The Mission continues to be in acute need of additional contributions if it is to be able to expand to 250 and to enhance the effectiveness of its work. Every team of two international observers means the Mission must pay for a translator and a vehicle. Each team needs a weatherproof presence on the border in the form of one portacabin for each border crossing-point. The holiday caravans, used at present, cannot withstand the constant wear and do not provide the shelter, or the security, necessary for the team, translators and drivers.

21. With the recent payments that have been made, and promised, it has been decided to start increasing the number of international members initially to 165, with the hope that, if Member States pay their contributions, the number can be increased to 250. The view has been expressed in some quarters that the Mission should be further expanded to 400 international members. In order to make this possible, a much more secure financial basis would be needed.

22. On the question of an aerial capacity for the Mission, it will be recalled that, in the report transmitted to the Security Council on 2 March 1995 (S/1995/175), reference was made to equipment that would be needed should it be decided that the Mission should have such a capacity to detect possible cross-border helicopter flights. The need for mobile radars and the tasking of dedicated observers to watch over the airspace at the border was referred to.

Unfortunately, the finances of the Mission at the present stage would not allow for such possibilities.

23. The Mission Coordinator has submitted to the Co-Chairmen various suggestions that he considers could contribute to increasing the effectiveness of the Mission, including the following:

(a) UNPROFOR should loan the Mission the portacabins it needs;

(b) More customs officers should be recruited to bolster the Mission's expertise at truck-loading and border crossing-points;

(c) Each border control point should be provided with either CAPSAT or satellite telephone equipment for contact with Mission headquarters and other border control points;

(d) Efforts should be made to provide basic amenities at border control points such as toilet facilities, clean drinking water, heat for winter and shade or cooling for the living quarters, refrigeration, cooking and basic washing facilities;

(e) Dedicated helicopter support (up to three helicopters) should be provided to the Mission to allow it to respond more promptly to border violation reports. Contributing countries could provide helicopter assets (equipment and crews) and the Mission could arrange the necessary base support and flight authorizations within the Federal Republic of Yugoslavia (Serbia and Montenegro).

24. If the Mission is to be able to expand to the extent desired and to increase the effectiveness of its work on land and in the air, considerably increased resources would be required, going well beyond the present capacity of the International Conference on the Former Yugoslavia. The Co-Chairmen have informed the Secretary-General of the United Nations, the European Union and the Contact Group that they believe one should be moving towards transferring the work of the International Conference Mission to the Organization for Security and Cooperation in Europe (OSCE). The Co-Chairmen took this responsibility last September on behalf of the International Conference because it was the only international body that could carry out that essential task, but they always saw it as a temporary arrangement. Now, as the months have passed and the difficulties of arranging proper financial support for the Mission have grown, they believe it would be preferable for these responsibilities to be conducted by a regional organization that has the confidence of all parties and could ensure that the Mission is properly funded with the necessary levels of staff, who can then work and plan without having to live from week to week without assurance that there will be sufficient funds to carry on their operations.

V. FREEDOM OF MOVEMENT OF THE MISSION

25. The Mission continues to enjoy full freedom of movement within the Federal Republic of Yugoslavia (Serbia and Montenegro).

26. On 13 April, Sector Alpha reported that a demonstration by the "Serbian Radical Party" had taken place near border crossing-point Trbusnica. As a precautionary measure, Mission caravans were withdrawn from the border crossing-point at 1040 hours and were placed in a secure area at the Loznica Red Cross. At 1600 hours, 300 fully equipped policemen with riot gear were positioned near the border crossing-point; at 1625 hours the Head of Sector withdrew Mission monitors from the border crossing-point; at 1700 hours a crowd of 400 arrived at the bridge followed by additional police reinforcements; at 1730 hours the crowd moved to the Bosnian side across the bridge; and at 1800 hours the demonstrators returned to the side of the Federal Republic of Yugoslavia (Serbia and Montenegro) and proceeded to the town of Loznica while the situation at the bridge returned to normal. No violent actions or damage were reported. Mission personnel returned to the border crossing-point at 1830 hours.

27. On 21 April, border crossing-point Vracenovici (Sector Charlie) reported that 10 rounds of small arms fire were heard in the vicinity of the border crossing-point during the night. One round impacted very close to the border crossing-point. On 25 April, local police completed the investigation into the shooting incident. The Head of Sector was informed that it was a local celebration with habitual shooting in the air. The locals were warned afterwards to cease such celebrations in the vicinity of the border crossing-point. This incident was assessed as not a direct targeting of Mission personnel.

28. On 2 May, the association "Orthodox Unity" sent a letter to the Mission demanding that "all the controllers who control crossings of the Serb people and transport communications should leave within the next five days from all checkpoints on the Drina and one on the Zagreb highway". This association is known to the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), which do not consider it a threat to the Mission.

29. On 6 May, Mission members were once again targeted. Another shooting incident occurred at a river ford 4 kilometres north of Uvac (Sector Bravo), in spite of the assurances of the local chief of police that he had warned the perpetrator of a previous shooting on 6 April and that it was now safe to visit the area again. The Mission Coordinator has subsequently instructed that no further patrolling be done in that area until confirmation was received that the individual concerned had been removed. On 7 May, the Mission Coordinator met with senior authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro), which offered an apology for the incident and promised to take all necessary measures to apprehend the perpetrator.

30. On 10 May, Sector Alpha reported that an incoming artillery shell from the Bosnian side impacted in the vicinity of border crossing-point Stari Most Zvornik. No casualties were sustained by the Mission personnel since they were not there at that time.

VI. COOPERATION OF THE AUTHORITIES OF THE FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) WITH THE MISSION

31. Cooperation with the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) continues to be good.

32. In the opinion of the Mission Coordinator, the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) are effectively implementing their border closure measures. The so-called "ant trade" (small quantities carried by individuals) is not significant. The Mission's daily reports show a consistent and regular pattern of refusals and confiscations of excess goods (including fuel) from cars, buses, trucks and tractors. There are very high vehicle search rates at the border crossings. The level of cooperation has especially improved between the regional heads of the customs of the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Mission sector commanders.

VII. INFORMATION RECEIVED FROM NATIONAL AND OTHER SOURCES

33. The operating principle of the Mission is to base its reporting and evaluations on its own observations and on information that it has verified. The Mission Coordinator has maintained a standing request to Governments possessing the technical capacity to provide it with information relevant to its mandate.

34. On 14 April, the Mission received information from unevaluated sources, alleging that large quantities of weapons and military supplies were being transported nightly by trucks that crossed the River Drina near Raca, usually over pontoon bridges or ferries. It was further alleged that around 15 March an estimated 50 to 60 trucks with rocket launchers and other heavy weapons crossed into Bosnia near this location from the Federal Republic of Yugoslavia (Serbia and Montenegro). The Mission has received no reports from Sremska Raca (described as Raca in the information) about any such incident. This border crossing-point is monitored by Mission observers 24 hours a day, every day. Furthermore, Sector Belgrade has been deploying foot and mobile patrols along the Sava river from Sremska Raca to the closed ferry crossing in Jamena. Nothing of the kind was reported nor were there any traces of suspicious activity around the closed ferry crossing on the side of the Federal Republic of Yugoslavia (Serbia and Montenegro).

35. In the course of the last two weeks of April, the Mission received information from unspecified sources with the following allegations:

(a) A pontoon bridge, which crosses the Drina river south of Janja (Bosnia) and west of Batar (Serbia), near the town of Loznica, located in a 1-kilometre prohibited zone, has been used since December 1994 to circumvent the "inter-Serbian embargo", and that trucks carrying fuel, weapons, ammunition and troops go across this bridge, which is open to traffic every day;

(b) Several helicopters enter Bosnia daily, usually alone, but sometimes in formations of four to six, at the point where the river Lim enters the

Drina river near the town of Priboj (Serbia), and they fly mostly at night from Niksic (Montenegro);

(c) A submerged pontoon bridge exists 10 kilometres downstream of the Drina river at Palovica, near Ljubovica and Dubravica;

(d) A secret crossing is operated by boats at night-time in Fakovici, between Bratunac and Skelani on the Drina river;

(e) A submerged oil pipeline exists and was operative in December 1994 and January 1995 across the Drina river between Zvornik and the road bridge at border crossing-point Ljubovija.

All allegations have been thoroughly investigated by the Sector's special mobile patrols, comprised of senior staff members and monitors from the nearby border crossing-points. Random checks and sky monitoring were conducted at alleged locations day and night. The level of the Drina river was still high and the stream was assessed as too fast for pontoon bridges. Mission monitors found no evidence to substantiate the above-mentioned allegations.

VIII. PROBLEMS ENCOUNTERED AND REPRESENTATIONS MADE TO THE AUTHORITIES

36. Throughout the month, all Sectors randomly monitored the sky and found no evidence of helicopter activity, even though air surveillance strictly goes beyond the responsibility of the Mission. These observations will continue under the guidance of the designated Air Operations Officer in the Mission's headquarters. After the Mission Coordinator's meeting with President Milosevic on 11 April, and to this date, air traffic Controllers of the United Nations Protection Force (UNPROFOR) have registered only one unexplained radar contact.

37. The Mission has a lingering problem with the police at the border crossing-point Metaljka (Sector Bravo). This relates to the discovery by the Mission monitors of the pedestrian bypass, which is located just behind the border crossing-point and which is not visible owing to a curve in the road. Since then Mission monitors witnessed trucks stopping at this bypass and being unloaded by persons who carried the goods (for example, beer) by hand through the bypass. The matter was reported to the local police several times, but despite assurances that action will be taken, the situation remains unacceptable. At Metaljka (B18) a yellow Volkswagen Buggy crossed at 1545 hours into territory of the Republic of Bosnia and Herzegovina under the control of Bosnian Serb forces. It was allowed to pass by the police before the customs officer could check it. The police officer in question refused to give his name to our observers. The observers did not manage to write the registration number down as another car was blocking their view.

38. On 17 April and 12 May, the Mission Coordinator raised the issue of uniformed personnel crossing the border with the Director-General of the Customs of the Federal Republic of Yugoslavia (Serbia and Montenegro), Mr. Kertes. In the reporting period, the total number of uniformed, but unarmed personnel, crossing the border in both directions reached 771. Eighteen of them were

prevented from crossing because of possession of firearms. The movement of uniformed personnel peaked somewhere around the Easter holiday celebrations and dwindled recently to insignificant numbers. The explanation given by the authorities of the Federal Republic of Yugoslavia (Serbia and Montenegro) was that personnel crossing the border regularly visit relatives on both sides of the border for celebrations but no one is allowed to cross wearing sidearms. Another explanation is that not every person in a military outfit is necessarily a soldier or policeman on active service. Many males on both sides of the boundary wear military garments or are unable to afford civilian clothes. Those explanations were accepted as satisfactory by the Mission because they coincided with what was reported from the sectors and assessed by the Mission monitors. Nevertheless, it was underscored again that uniformed and armed personnel crossing the border would constitute a violation and would be registered as such.

39. From 10 to 16 April signs of activity on the Bosnian side of the Jamena ferry crossing were reported by mobile patrols. Boats, pontoons and a tug plus two or three military personnel have been regularly observed. Nevertheless, no traces of landing on the side of the Federal Republic of Yugoslavia (Serbia and Montenegro) were evident and the barriers' seals have remained intact.

40. In the same period, the volume of confiscations increased considerably in the port of Belgrade with the implementation of the recent memorandum of understanding. Now all vehicles transporting packaged goods are required to unload and be reloaded in the presence of the Mission's monitors. Good customs performance is noted.

41. On 29 April it was reported from the port of Belgrade that the monitors had discovered a "trade invoice", within the papers of the consignor, endorsed by the Yugoslav Red Cross. This truckload was rejected, and the matter is under investigation.

42. On 4 May, at Sremska Raca, Mission observers found, when checking the canopy wires of a Yugoslav Red Cross truck and trailer before removing the seals, that the wire had been cut and rejoined. The customs officers inspected the load, with Mission observers, and found it was cement instead of flour, as was indicated in the documentation. The driver admitted that, after leaving Novi Sad, where the truck and trailer had been sealed by customs and Mission monitors, he went to another warehouse where the wire was cut and 25 tons of cement were loaded in place of the flour. The vehicle and contents have been impounded and moved to Novi Sad for further investigation.

43. On 14 April, a mobile patrol reported that the Special Police, based on information from the Mission, established a 24-hour surveillance of a Bosnian fuel depot near Cutline, as mentioned in a previous report. All approaches to the Serbian side of the river opposite the Bosnian fuel depot are being covered by the police.

44. On 17 April, a mobile patrol reported from Cutline that a boat with two fuel barrels was observed crossing the Drina from the Federal Republic of Yugoslavia (Serbia and Montenegro) to the Republic of Bosnia and Herzegovina. Local police and the Yugoslav Army Liaison Officer were notified immediately.

On 19 April, a mobile patrol reported from the same place that a rubber boat was observed unloading barrels on the side of the Federal Republic of Yugoslavia (Serbia and Montenegro) and crossing back empty to Bosnia and Herzegovina. Again the local police and the Yugoslav Army Liaison Officers were alerted immediately.

45. On 22 April, it was reported from border crossing-point Ljubovija that a police vehicle of the Federal Republic of Yugoslavia (Serbia and Montenegro) with two uniformed and armed (sidearm) policemen crossed into the Republic of Bosnia and Herzegovina. It was considered a violation and local authorities were notified accordingly.

46. In the early morning of 3 May, near border crossing-point Badovinci, a customs/police mobile patrol seized 1,500 litres of fuel from a boat on the Drina. On 4 May the police confiscated 2,000 litres of fuel from smugglers at a small boat crossing on the Drina, 3 kilometres north of Badovinci.

47. On 10 May, it was reported from border crossing-point Badovinci that a Yugoslav Army patrol captured a boat with 10 empty barrels (200 litres each) trying to cross the River Drina. The matter is being investigated by the police. On 11 May, it was reported from the same border crossing-point that a Yugoslav Army patrol brought two persons with a tractor and trailer full of empty fuel containers (around 2,000 litres capacity) to the police at the border crossing-point. The matter is being investigated as well.

48. On 4 May, at Trbusnica a car previously denied entry by a customs officer for carrying commercial goods was permitted to cross by the order of the Chief Customs Officer.

49. On 10 April, a mobile patrol reported from Backa Pec, near Krstac, that a stone barrier was partly dismantled and some truck traces were evident beyond the barrier. The Yugoslav Army Liaison Officer was notified immediately and, on 13 April, the restoration of this barrier was completed. It is now 2 metres high. Since then the Yugoslav Army has established a 24-hour presence on the majority of the bypasses in the Sector. On 11 May, there were traces that the barricade had been bypassed again. The matter was raised immediately with the Yugoslav Army Liaison Officer.

50. On 11 April, it was reported from Vracenovici that the customs seized three trucks with large belly tanks attempting to cross into the Federal Republic of Yugoslavia (Serbia and Montenegro). Customs officers believed that the drivers were trying to fill up in Niksic to go back to Bosnia and Herzegovina.

51. On 18 April, near Vracenovici, the barrier on the bypass was again found partly dismantled and vehicle tracks were visible around it. The Yugoslav Army Liaison Officer and police were informed and the barricade was restored, although insufficiently. On 22 April the barricade was bypassed again by a vehicle. Police managed to identify and arrest some perpetrators of those smuggling attempts, according to the report of the police chief.

52. On 22 April, in Vracenovici the police allowed a truck with approximately 40 crates of beer to cross into Bosnia and Herzegovina. The matter was reported to the Chief of Police and this police shift was severely reprimanded.

53. On 20 April, at border crossing-point Scepan Polje, it was reported that customs confiscated one gun from a driver of a vehicle entering Bosnia and Herzegovina.

54. On 20 April, a mobile patrol reported from Nudo and Vilusi bypasses that the barricades were partially dismantled and traces of use were visible. Local police were notified and the Police Chief promised to establish a permanent police presence on all bypasses.

55. On 21 April, the Yugoslav Army Liaison Officer informed Sector Charlie headquarters that the Yugoslav Army had arrested four trucks for illegally crossing into the Federal Republic of Yugoslavia (Serbia and Montenegro) near Crkvice. A police investigation is under way and the drivers are being detained for a customs offence.

56. On 26 April, police arrested in Vilusi a person attempting to smuggle 120 litres of petrol into Bosnia and Herzegovina. On the same day a mobile patrol reported from Vilusi bypass that between 0330 and 0700 hours the International Conference on the Former Yugoslavia seal was removed from the gate. It was resealed again. On 28 April a mobile patrol discovered that the gates on the above-mentioned bypass were broken and unsealable. A Yugoslav Army unit was working to erect a barricade instead of the gates. New barriers are also under construction at Nudo and Vilusi bypasses.

57. On 26 April, the mobile patrol was informed, by the Yugoslav Army Liaison Officer, that a Yugoslav Army patrol had apprehended three trucks loaded with timber. They were attempting to cross illegally the border from Bosnia and Herzegovina to the Federal Republic of Yugoslavia (Serbia and Montenegro) via Crkvice bypass. The matter is being investigated by the police.

58. On 28 April, a mobile patrol discovered that the barricades at two bypasses near Crkvice were passable and there were traces of vehicles crossing them. No Yugoslav Army patrols or police were present there at the time. The matter will be discussed again at a meeting between the Head of Sector and local authorities in the near future.

IX. CERTIFICATION

59. In the light of the foregoing developments during the past 30 days, based on the Mission's on-site observation, on the advice of the Mission Coordinator, Mr. T. J. Nieminen, and in the absence of any contrary information from the air, either from the airborne reconnaissance system of NATO or national technical means, the Co-Chairmen conclude that the Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) is continuing to meet its commitment to close the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces. The Co-Chairmen also conclude that during the period

covered by the present report there have been no commercial transshipments across the border between the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Republic of Bosnia and Herzegovina.

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LETTER DATED 18 MAY 1995 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In accordance with the commitment made on 6 February 1995 (S/1995/143) to keep the Security Council informed of developments in the situation in El Salvador, I have the honour to report that on 27 April 1995 the representatives of the Salvadorian Government and the other signatories to the Chapultepec peace agreements agreed on a programme of work to complete the implementation of the agreements. This programme was drawn up after the parties had reached agreement, on 4 October 1994, to cooperate closely and actively to ensure full compliance with all the peace agreements currently in the process of implementation or still pending. The programme will be verified by a small team set up pursuant to my recommendation of 6 February 1995 and henceforth known as the United Nations Mission in El Salvador (MINUSAL).

The text of the programme of work to complete the implementation of the peace agreements is contained in the annex. I should be grateful if you would bring it to the attention of members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Annex

[Original: Spanish]

PROGRAMME OF WORK TO COMPLETE THE IMPLEMENTATION OF THE PEACE AGREEMENTS

The present programme of work has been designed in view of the winding up of the United Nations Observer Mission in El Salvador (ONUSAL) and the establishment of the United Nations office that is to oversee the final phase of the implementation of the peace agreements, performing the verification and good offices functions entrusted to the United Nations by the El Salvador Peace Agreement and strengthening the efforts that the competent national institutions must make to consolidate peace.

To put the programme into operation and ensure its monitoring and follow-up, the trilateral sectoral groups for each programme area will meet once a week, as will the implementing groups with the Unit for the Application of the Peace Agreements (UDAPAZ), to streamline verification requirements. High-level trilateral meetings will be convened by the United Nations on an exceptional basis to overcome difficulties that the sectoral groups have been unable to resolve or to deal with such other issues as the United Nations deems necessary. Bilateral meetings will continue to be held, as necessary, with the other signatories to the peace agreements, at the initiative of the signatories or the United Nations.

The programme of work has been drawn up in application of the agreement reached by the parties on 4 October 1994 to cooperate closely and actively to ensure the full compliance with all the peace agreements currently in the process of implementation or still pending. The mechanisms mentioned will determine precisely what measures are needed, on the understanding that the purpose of the entire process will be to ensure the full implementation of this programme of work.

The implementation of the entire programme will be evaluated periodically by the United Nations, which will attempt to differentiate between obstacles beyond the parties' control and negligence, distortions and omissions in fulfilling their commitments. In any event, the parties will have to make the necessary adjustments in order to fulfil their commitment to complete implementation of all the peace agreements by 31 October 1995 at the latest, with the exception of those for which this programme sets a later date, in which case the commitment is to complete their implementation within the established deadline.

I. PUBLIC SECURITY

1. Update the monitoring, by the Division for the Protection of Eminent Persons of the National Civil Police (PNC), of weapons authorized solely for the armed forces of El Salvador (FAES) which are being used to protect prominent members of the Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN).

Deadline: 30 April

Responsibility of: Government of El Salvador (Vice-Minister for Public Security, PNC Director)

2. Admit officers from the former Executive Anti-Drug Trafficking Unit (UEA) and the former Commission for the Investigation of Criminal Acts (CIHD) to executive and senior-level courses at the National Public Security Academy (ANSP), in accordance with the 3 November 1994 resolution of the Ad Hoc Evaluation Commission, as well as civilians who have passed the ANSP entrance examinations.

Deadline: 15 May

Responsibility of: Government of El Salvador (PNC-ANSP)

3. Suspend the third round of applications for courses at the senior level until the Legislative Assembly has adopted the Police Career Act.

Deadline: 30 April

Responsibility of: Government of El Salvador (ANSP Director)

4. Revise the ANSP admission system and include a mechanism for checking on the background of new entrants, based on the evaluation made by ONUSAL.

Deadline: 30 April

Responsibility of: Government of El Salvador (ANSP Director)

5. Adjust the methodology for the third round of applications and selections for executive and senior-level courses at ANSP to the requirements of the Act organizing the National Civil Police, the agreement of 19 May 1994 and the Police Career Act.

Deadline: One month after publication of the Police Career Act in the Official Gazette

Responsibility of: Government of El Salvador (ANSP and PNC Directors)

6. Resolve, on the agreed terms, the situation of members of the Crime Squad.

Deadline: 30 April

Responsibility of: Government of El Salvador (Vice-Minister for Public Security)

7. Resolve serious and very serious disciplinary cases pending as of 31 March.

Deadline: 6 May 1995

Responsibility of: Government of El Salvador (PNC Director)

8. Review the details of the transitional syllabus and the eight-month syllabus which is to go into effect at ANSP in September, based on the results of the academic assessment made by ANSP.

Deadline: 15 May 1995

Responsibility of: Government of El Salvador (ANSP Director)
Presentation to sectoral group on public security

9. Admit to regular, basic-level courses at ANSP the remaining staff transferred from the former UEA and CIHD who are to be assigned to the Criminal Investigation Division (DIC) and the Anti-Narcotics Division (DAN), in accordance with the timetable provided to ONUSAL by the Government.

Deadline: 31 December

Responsibility of: Government of El Salvador (PNC Director)

II. LAND TRANSFER

Representatives of the Joint Group on Land will take part in weekly regional meetings, with emphasis on the San Miguel and Chalatenango regions. Managers of the Coordinating Office for Agricultural Issues (OCTA) will participate in these weekly meetings as follows: two regions the first and third weeks of the month and the three remaining regions the second and fourth weeks of the month.

Land Transfer Programme

10. Expedite appraisals, measurements, negotiations and, above all, the issue of title deeds so that an implementation rate of at least 60 per cent is achieved by 30 April.

Responsibility of: Government of El Salvador (President of Land Bank)

11. Starting on 30 May 1995 at the latest, payments will be made to landowners at the time of the issue of title deeds and payments outstanding as of that date will be settled.

Responsibility of: Government of El Salvador (President of Land Bank)

12. Draw up the sales offer and restricted bill of sale for all properties with legal problems to which the Joint Group considers Decree 290 to be applicable.

Responsibility of: Government of El Salvador (President of Land Bank)

13. Complete appraisals, measurements and negotiations, by region, by 30 May 1995 at the latest.

Responsibility of: Government of El Salvador (President of Land Bank)

14. Expedite the issue of title deeds with a view to completing the process in August 1995.

Responsibility of: President, Institute for Liberty and Progress

15. Extend Decree 306 until the closing date for the last regional programme of the Land Transfer Programme.

Deadline: 15 July

Responsibility of: Government of El Salvador, Legislative Assembly

16. Identify properties for the implementation of the 3 July 1991 agreement.

Deadline: 15 May

Responsibility of: Government of El Salvador (President of the Salvadorian Institute for Agrarian Reform (ISTA) and the Alianza Democrática Campesina (ADC))

17. Complete the implementation of the 3 July 1991 agreement.

Deadline: 3 July

Responsibility of: Government of El Salvador (President of ISTA and ADC)

III. HUMAN SETTLEMENTS

18. Design the special regime for the transfer of rural human settlements.

Deadline: 30 April

Responsibility of: Government of El Salvador (Unit for the Application of the Peace Agreements (UDAPAZ)), FMLN, Expresión Renovadora del Pueblo/Resistencia Nacional (ERP/RN))

19. Complete distribution of the ₡12,000 allocated to the 621 beneficiaries registered by the National Commission for the Consolidation of Peace (COPAZ) for the urban human settlements programme.

Deadline: 31 July

Responsibility of: Government of El Salvador (Vice-Minister for Housing) National Fund for Low-Income Housing (FONAVIPO) and Fundación 16 de enero (F16)

20. Transfer all land and buildings included in the rural human settlements covered by the special regime.

Deadline: 30 April 1996

Responsibility of: Government of El Salvador (Secretariat for National Reconstruction (SRN))

IV. REINTEGRATION

21. Distribute the agricultural credit approved for former combatants and landholders before 30 April.

22. Distribute the first instalment of agricultural credit to the remaining former combatants and landholders that request it.

23. Complete distribution of the Plan 600 micro-enterprise credit to persons who request it.

Deadline: 30 May

Responsibility of: Government of El Salvador (SRN)

24. Distribute the second instalment of agricultural credit to former combatants who have paid their share.

25. Complete the programme of agricultural technical assistance (closing date: 15 August 1995).

26. Complete the programme of technical assistance for micro-enterprise (closing date: 15 December 1995).

27. Complete the scholarship programme (closing date: 31 August 1998).

28. Complete the Plan 600 programme of technical assistance for micro-enterprise (closing date: 31 July 1995).

29. Complete the Plan 600 housing programme Social Fund for Housing (FSV) (closing date: 31 August 1995, following its evaluation).

30. Begin the permanent housing programme (HABITAT) by 31 May at the latest.

31. Complete the construction of housing units under the permanent housing programme (Salvadorian Foundation for Development and Minimum Housing (FUNDASAL)), according to the established quotas.

32. Complete the progressive housing programme United Nations Development Programme (UNDP) (closing date: 31 August 1995).

V. FUND FOR THE PROTECTION OF THE WAR-WOUNDED AND WAR-DISABLED

33. Conclusion of rulings on war-disabled persons by the Technical Evaluation Commission.

Deadline: 31 October

Responsibility of: Government of El Salvador (Technical Evaluation Commission)

34. Determine the amount of the pensions to be received by the Fund's remaining beneficiaries once potential beneficiaries have been screened.

Deadline: 30 August

Responsibility of: Fund for the Protection of the War-Wounded and War-Disabled

VI. LEGISLATIVE REFORMS

The United Nations will establish a follow-up mechanism with the Legislative Assembly, the Supreme Court of Justice and the executive branch to push for the introduction and adoption of legislative reforms by 31 October 1995. The signatories to the peace agreements renew their commitment to cooperate in this action.

The Government will draft and submit the following preliminary bills to the Legislative Assembly and will use its good offices to ensure their early adoption:

- Amendments to the Code of Military Justice and the army rules and regulations
- Repeal of the 1886 Police Act
- Habeas Corpus Act.

The Government will use its good offices with the Legislative Assembly to ensure that it ratifies the constitutional amendments adopted in first session in April 1994 and considers and approves the following bills:

- Criminal Code
- Code of Criminal Procedure
- Prison Act.

The Government will use its good offices with the Supreme Court of Justice and the Legislative Assembly to ensure that the Court prepares and submits the following preliminary bills to the Legislative Assembly and that the Assembly considers and adopts them:

- Amendments to the Constitutional Procedures Act (amparo)
- Amendments to the Judicial Career Act
- Amendments to the National Council of the Judiciary Act
- Amendments to the Act organizing the judiciary
- Preliminary draft legislation on reduction of penalties in exchange for information on the activities of illegal armed groups, as recommended by the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups
- Special jurisdiction for cases of organized or politically motivated crime, as recommended by the Joint Group for the Investigation of Politically Motivated Illegal Armed Groups.

The Government will deposit by 30 June 1995, with the Secretary-General of the United Nations or the Secretary-General of the Organization of American States (OAS), as the case may be, the instruments of ratification of:

- the Optional Protocol to the International Covenant on Civil and Political Rights

- the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights (San Salvador Protocol)

- Recognition of the jurisdiction of the Inter-American Court of Human Rights.

The Government will include in the criminal legislation presented to the Legislative Assembly the provisions of the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity which define such crimes and which establish that no statutory limitation shall apply to the corresponding criminal proceedings and penalties.

RECOMMENDATIONS

Since there are actions which form part of processes aimed at consolidation, institution-building and the completion of ongoing or imminent programmes and which are not subject to a timetable but will proceed at their own rate, this section lists the actions that the various bodies should undertake:

1. Introduce and adopt the Police Career Act by 30 October at the latest.

2. Strengthen PNC oversight mechanisms.

3. Continue to incorporate into DAN and DIC staff who have graduated from ANSP.

4. By 30 October at the latest, define mechanisms for applying the rule that PNC members shall not live in barracks.

5. Evaluate the regionalization of the Land Transfer Programme process periodically in the Joint Group on Land, in order to take the necessary corrective action.

6. By 30 April, OCTA will transfer its database to the Agricultural Development Bank (BFA) so that the Bank can provide credit to persons who wish to plant during the agricultural year beginning in May.

7. Ensure that former combatants and landholders who have met their credit commitments are qualified to receive credit from the financial system, so that they have access to the second credit instalment.

8. Make payments to recipients of pensions or other compensation no later than one month after a final ruling has been given.

9. Amend the Electoral Code so as to enhance the credibility of the Supreme Electoral Tribunal.

* * *

Concerning the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Government adopted the Convention with reservations. FMLN believes that in order to comply with the relevant instructions of the Commission on the Truth, the reservation concerning the competence of the Committee against Torture should be withdrawn.

Concerning Conventions Nos. 87 and 98 of the International Labour Organization (ILO), the Government did not submit them to the Legislative Assembly for ratification because the Forum for Economic and Social Consultation considered them contrary to the Constitution. FMLN believes that these instruments, which were included in the recommendations of the Commission on the Truth, should be ratified.

FMLN believes that the victims of human rights violations should receive compensation, as recommended by the Commission on the Truth, and that a reasonable formula should be found for this purpose. FMLN also states for the record that it considers it increasingly urgent and necessary that the Forum for Economic and Social Consultation be reinstated so that it can complete the tasks which it assumed pursuant to the Peace Agreement.

For the Government of the Republic of El Salvador:

(Signed)

Gen. Mauricio E. Vargas

For the Frente Farabundo Martí para la Liberación Nacional (FMLN):

(Signed) Salvador Sánchez Cerén

(Signed) Schafik Handal

(Signed) Francisco Jovel

For Expresión Renovadora del Pueblo (ERP):

(Signed)

Joaquín Villalobos

For Resistencia Nacional (RN):

(Signed)

Eduardo Sancho

For the United Nations:

(Signed)

Enrique ter Horst